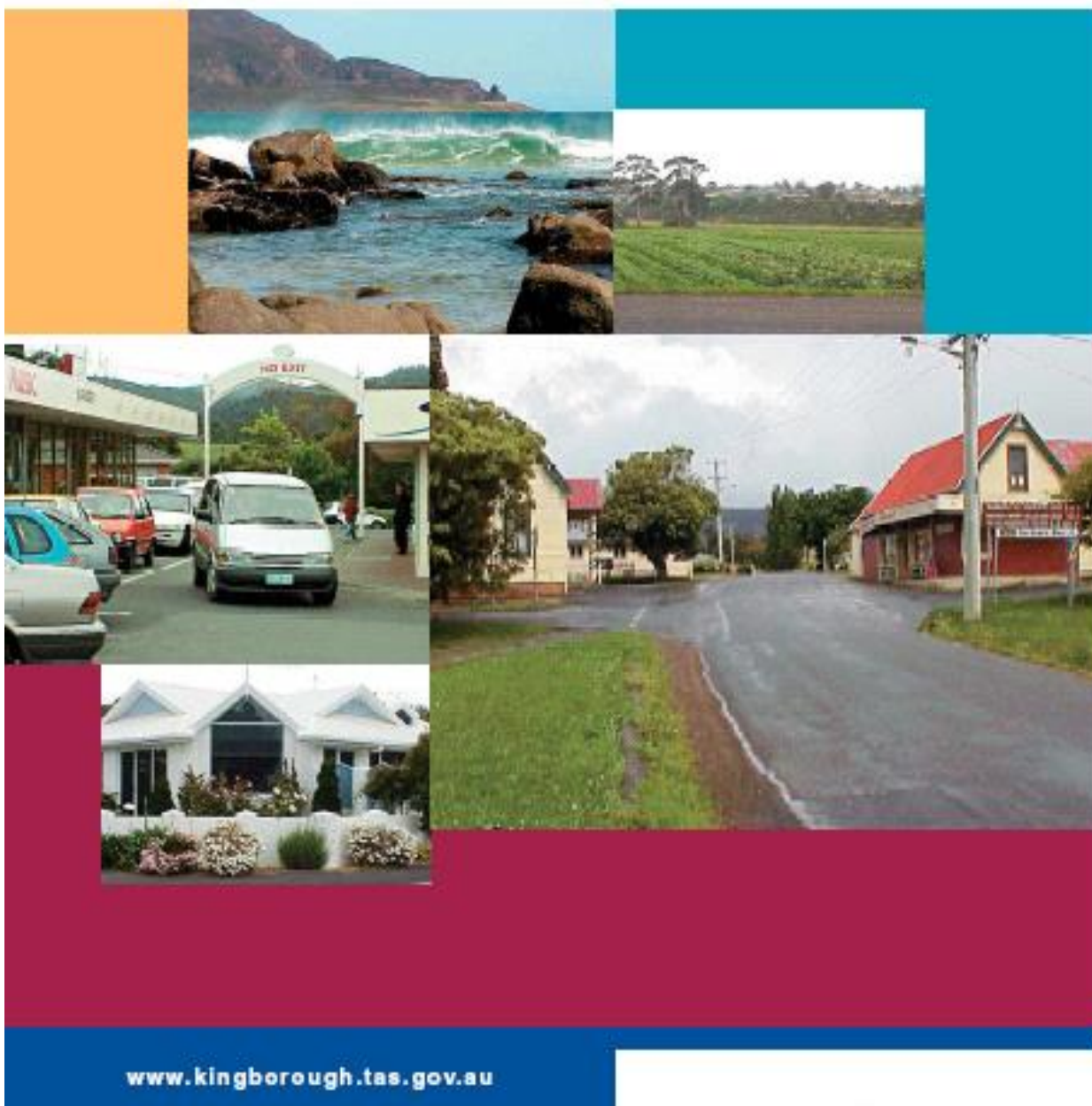


KINGBOROUGH

Planning Scheme 2000

A performance based planning system



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Kingborough

(incorporating amendments to 29/5/2015)

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1. Preliminary

1.1 The Planning Scheme

- 1.1.1 This Planning Scheme is titled the Kingborough Planning Scheme 2000 hereafter referred to as the Scheme.
- 1.1.2 The Scheme consists of the ordinance which is this document and the plans depicting the applicable zones.
- 1.1.3 The Scheme applies to use or development on land within the planning scheme area as defined in clause 1.3 of the Scheme.
- 1.1.4 The Scheme came into operation on 1 July 2004.

1.2 Intent of the Scheme

- 1.2.1 The intent of the Scheme is to further:
 - (a) the objectives of the *Land Use Planning and Approvals Act 1993*;
 - (b) Council's Strategic Plan titled "Kingborough Community Directions 2000 Onwards" (2000);
 - (c) National Strategies on Ecologically Sustainable Development; and
 - (d) the following State Policies:
 - the State Policy on Water Quality Management 1997
 - the State Policy on the Protection of Agricultural Land 2000
 - State Coastal Policy 1996
 - Ambient Air Quality
 - Diesel Vehicle Emissions
 - Movement of Controlled Substances between States and Territories
 - Assessment of Site Contamination
 - National Pollutant Inventory
 - Used Packaging Materials

1.3 Interpretation

- 1.3.1 A reference in the Scheme to any Act or other statute is to be taken as a reference to such Act or statute as it may be amended from time to time.
- 1.3.2 Use Class Definitions are set out in clause 3.1.4.
- 1.3.3 In this Scheme, unless the contrary intention appears:

access where used in the context of transport and infrastructure means any place where emergency and other vehicles enter or leave a road from an adjoining property and includes (but is not limited to) private entrances, driveways and farm gates but does not include fire trails.

accessibility profile means the quality of accessibility to a given development by a range of travel modes such as car, public transport, walking and bicycling.

Act means the *Land Use Planning and Approvals Act 1993* as amended or, if that Act is repealed, any Act enacted in substitution for that Act.

actively mobile land means land which is either moving en masse (e.g. a blown out or transgressive dune) or which is actively changing the expression of its features (eg a cut and fill cycle or erosion and accretion cycle).

agricultural use has the same meaning as that used in the State Policy on the Protection of Agricultural Land 2000.

ancillary unit means a building that is appurtenant to a dwelling used for residential habitation but which shares common facilities with that dwelling such as kitchen, laundry or bathroom and has an area no greater than 80 square metres or 50% of the floor area of the dwelling, whichever is the lesser.

attenuation distance means the distance over which the offensive nature of a pollutant will be reduced such that it is reasonably acceptable to an ordinary member of the community.

attenuation zone has the same meaning as that used in the State Policy on Water Quality Management 1997.

BCA refers to the Building Code of Australia (as amended).

boundary adjustment in respect to subdivision means altering a boundary of a lot or the creation of an improved division of land provided no additional lots are created.

building has the same meaning as that used in the Act.

building height means the vertical distance from natural ground level to the roof or parapet at any point.

building line means a line drawn parallel to the front boundary across a lot clear of all projections of a building.

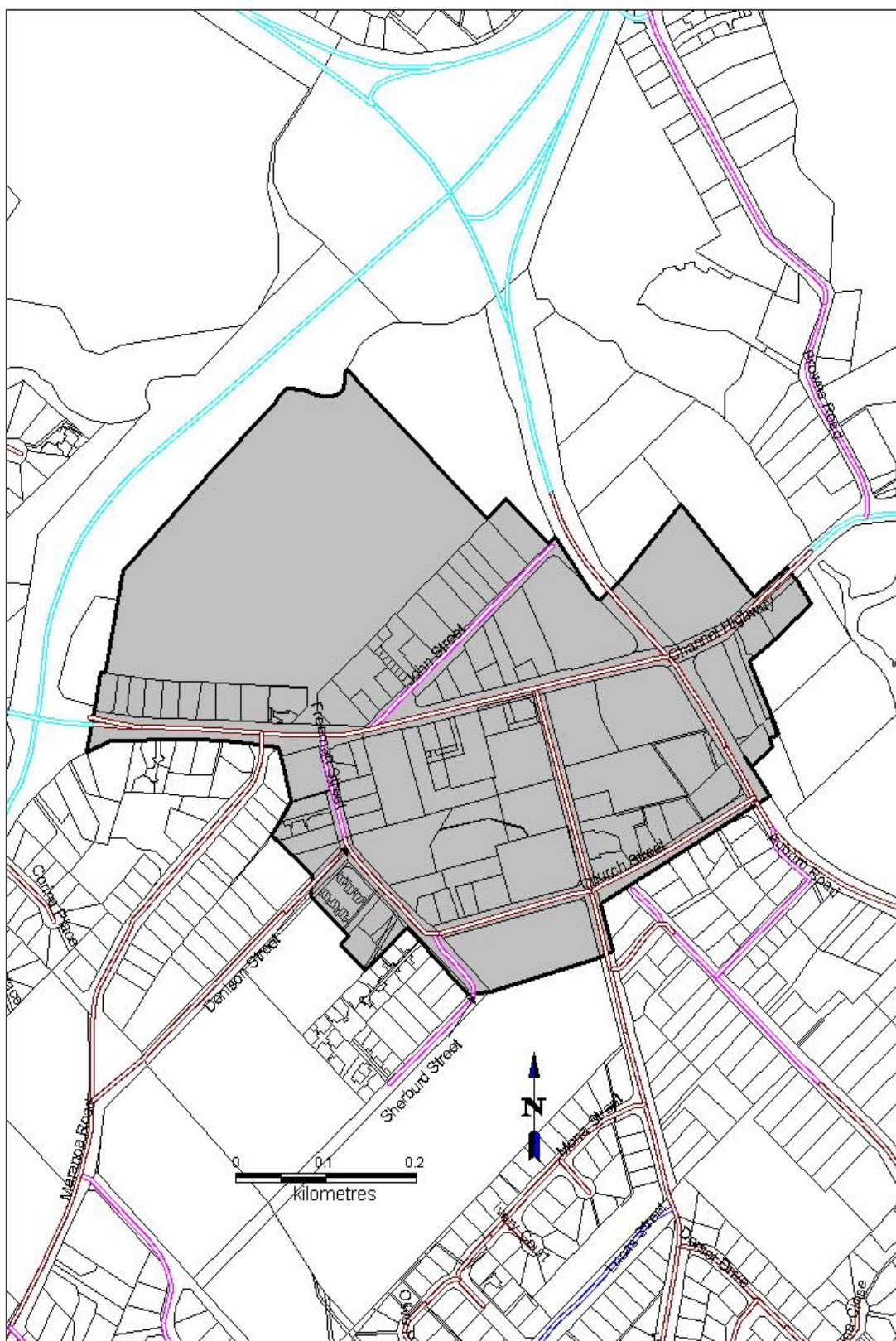
building envelope means a space in which the principal building and other structures, such as car ports, garages etc are contained.

building protection zone (BPZ) means an area between the principal building and the Fuel Modified Buffer Zone where bushfire fuel such as grasses, bracken, dead or fallen leaves, bark, and twigs, are minimised to restrict the passage of fire.

bushfire prone areas include:

- (a) land within standing vegetation cover greater than one hectare (excluding grasslands on slopes less than five degrees); or
- (b) land within one hundred metres of standing vegetation cover greater than one hectare (excluding grasslands on slopes less than five degrees).

Central Kingston means the area shown in grey in the map below.



coastal area comprises all land below High Water Mark to the maximum extent of the planning scheme area, any actively mobile land, dune, beach, sea cliff, wave cut platforms and hard rock areas, wetlands, marshes, lagoons and swamps along and immediately inland of the coast or otherwise all land within 500m of high water mark where the landscape has not been modified by formed roads, buildings etc.

Commission means the Resource Planning and Development Commission.

contamination means the condition of land or water where any chemical substance or waste has been added at or above background level and represents, or potentially represents, an adverse health or environmental impact.

controlled wastes has the same meaning as that used in the *Environmental Management and Pollution Control Act 1994*.

Council means the Kingborough Council.

cultural heritage significance has the meaning as that used in the *Historic Cultural Heritage Act 1995*.

deficient junction means a junction which is listed by Council in a schedule maintained at Council's Civic Centre, Kingston.

demolition means the damaging, defacing, destruction or removal of any building or works in whole or in part.

detailed site investigation report means a report on an investigation of a site – includes detailed information on the nature and distribution of contaminants on a contaminated, or potentially contaminated site.

development has the same meaning as that used in the Act.

driveway means a private vehicular way connecting the access of a development site to the vehicle parking and / or loading and unloading areas on that development site.

dwelling means any building or part of a building used, or capable of being used, as a self-contained unit for cooking, sleeping, eating, washing and other domestic purposes. It includes outbuildings and works incidental to a dwelling including an ancillary unit.

effective date means the date upon which this Scheme takes effect, or, whenever the context admits, the date upon which an alteration to this Scheme takes effect.

EMPCA means the *Environmental Management and Pollution Control Act 1994*.

environment has the meaning defined in the *Environmental Management and Pollution Control Act 1994*.

environmental harm has the same meaning as that used in EMPCA.

environmental nuisance has the same meaning as that used in EMPCA.

environmental values mean any of the following:** (**Am. 2005-4 g 21/12/06)

- Landscape values, being skylines, ridgelines or exposed slopes,* (*Am.A26 g. 11/2/05)
- Threatened species and their habitat, listed under the *Threatened Species Protection Act 1995* or *Environment Protection and Biodiversity Conservation Act 1999*;
- Vegetation communities listed in Schedule 10 of the Scheme;
- Threatened native vegetation communities in a schedule to the *Nature Conservation Act 2002*;
- Class 1,2,3 and 4 waterways.

environmental weed means vegetation identified as such in Schedule 9 of the Scheme.

exempt means use or development that does not require a planning approval.

extractive material means silt, sand, gravel, clay, turf, soil, rock, stone or similar substances.

fabric means all the physical material of the place.

farm management plan means a plan prepared by a suitably qualified person which documents all elements of a proposed or existing agricultural use including as applicable fencing, sources of water (if any), improvements made or planned to be made, marketing information, details on human resources, risk analysis and the like.

fire trail means a vehicular carriage-way provided for the use of emergency vehicles which is not intended to form part of the usual access to a lot.

fishing has the same meaning as that used in the *Living Marine Resources Management Act 1995*.

forestry operations has the meaning defined in s20(7A) of the Act.

fuel modified buffer zone (FMBZ) means the area between the Building Protection Zone and the bush or standing vegetation where bushfire fuels such as grasses, bracken, dead or fallen leaves, bark and twigs are reduced and maintained at a level that allows effective fire fighting with ordinary resources.

frontage means the boundary of a lot which abuts a road. In cases where a lot abuts two roads, the boundary with the higher order road as defined in Schedule 3 of the Scheme shall be considered the frontage, unless both roads are in the same category in which case the shorter abutting boundary would be considered the frontage.

frontal dune means the first dune above the limit of normal wave activity on a beach, but whose front is typically exposed to occasional storm wave activity. The term "frontal dune" is generally equivalent of "foredune".

genetically modified crops means agricultural activities using plants containing genetically engineered organisms (GEOs), including trial crops containing GEOs. This does not include non-field scenarios where it can be certified that the plants are in an enclosed environment that will prohibit pollen drift.

good condition means a native vegetation community assessed with a score of 65/100 or greater using the methodology described in Michaels, K (2006) Manual for Assessing Vegetation Condition in Tasmania, Version 1.0, Resource Management and Conservation Division, Department of Primary Industries, Water and Environment, Hobart.** (**Am. 2005-4 g 21/12/06)

gross floor area means the total floor area of all floors of a building, measured from the outside of the external walls or centre of party walls and includes all roofed areas, excluding eaves.

habitable building means buildings of Classes 1-9 of the Building Code of Australia (i.e. All buildings excluding Class 10 – non-habitable buildings or structures).

habitable room means a room used for normal domestic activities that includes: a bedroom, living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom and sunroom, but excludes a bathroom, laundry, water closet, food storage pantry, walk in robe, corridor, hallway, lobby, clothes drying room and other spaces of a specialised nature occupied neither frequently nor for extended periods.

heritage conservation means all the processes of looking after a place so as to retain its cultural significance. It includes maintenance and may according to circumstances include preservation, restoration, reconstruction and adaptation and will be commonly a combination of more than one of these.

high priority vegetation means vegetation identified as such in Schedule 10 of the Scheme.

home occupation means a minor non-domestic activity on any land used principally as a dwelling unit, provided such use has no greater impact on the amenity of the environs than could reasonably be expected were the land to be used solely for the dwelling unit.

infrastructure development means, in relation to telecommunications infrastructure, the planning, design, construction, maintenance and use of telecommunications infrastructure.

intensive animal husbandry means any land used for the farming of animals when their feeding is undertaken primarily by hand and/or machinery based practices, but does not include Aquaculture.* (*Am.A27 g. 7/3/07)

isolated settlement means an area marked as “isolated settlement” on the Scheme plans.

junction for the purpose of Schedule 3 of the Scheme means a place where two or more roads cross or meet at a common level and includes an intersection.

land capability classification system (LCCS) means the land capability methodology described in Land Capability Survey of Tasmania, Land Capability Handbook, K. E. Noble, 1992, Department of Primary Industry, Tasmania, or any subsequent edition, as approved by the Minister, which does not modify the current land capability methodology.

land clearance means the removal, destruction or lopping of trees and the removal of vegetation.

line in relation to Schedule 12 of the Scheme means a wire, cable, optical fibre, tube, conduit, waveguide or other physical medium used, or for use, as a continuous artificial guide for, or in connection with, carrying communications by means of guided electromagnetic energy. (This adopts the *Telecommunications Act 1997* definition).

location decision report (LDR) means a report which incorporates (amongst other matters) the following:

- an accessibility profile of the proposed development site;
- a mobility profile of the proposed business;
- an assessment of the likely impact on existing or planned infrastructure within Central Kingston, particular where considerable public investment has or is planned to occur;
- the likely effect on future private sector investment needed to safeguard the vitality and viability of that centre
- an assessment of alternative sites and why the preferred site was selected.

lot means a block of land created by subdivision of a larger block of which it was part. Unless the contrary intention appears, a lot also includes a block as defined in the *Local Government (Building and Miscellaneous Provisions) Act 1993* but does not include a lot in a strata plan.

low impact facilities mean:

- (i) A facility described in Part 3 of the Telecommunications (Low-Impact Facilities) Determination 1997, and in the Schedule of the Telecommunications (Low-Impact Facilities) Determination 1997, is a low-impact facility only if it is installed, in the areas described in Part 2 of the Telecommunications (Low-Impact Facilities) Determination 1997.
- (ii) However, the facility is not a low-impact facility if the area is also an area of environmental significance as defined in the Telecommunications (Low-Impact Facilities) Determination 1997.

maintenance in relation to heritage means the continuous protective care of the fabric, contents and setting of a place, and is to be distinguished from repair. Repair involves restoration and reconstruction.

major traffic generating development (MTGD) refers to use or development within the Business and Civic Use Class involving, specifically, food retailing, video, office, leisure activities such as cinema, sports centres and the like where the building or use has a gross floor area of 250 sq.m or greater. A MTGD also includes an extension to a building or use conforming to the above requirements.

management plan means a management plan approved under the *National Parks and Reserves Management Act 2002*.

material traffic increase means a 10% or greater increase in the then existing annual average vehicle movements which are calculated to the result of that use or development.

mobility profile refers to the characteristics of the development or use in their transport needs eg number of employees, where they live, dependence on motorised transport in conducting business, number and type of visitors and reliance on road haulage.

moderate priority vegetation means vegetation identified as such in Schedule 10 of the Scheme.

multi-unit housing means any land used for two or more dwellings on the same lot but does not include a boarding house or retirement village.

natural ground level means the natural level of a site at any point, or if the context requires, existing ground level of a site at any point.

neighbourhood character refers to the qualities, form and presentation of a street or area which is largely determined by some or all of the following characteristics:

- (a) the scale of development;
- (b) roof height;
- (c) bulk;
- (d) road setbacks;
- (e) common architectural features;
- (f) the location of parking;
- (g) fences;
- (h) attention to landscaping and open space; and
- (i) the design of buildings with regards to materials and colours.

noise/sound pressure levels means the noise or sound pressure level created by activities or equipment related to the proposed use or development and measured in accordance with all relevant Australian Standards and the Tasmanian Code of Practice for Sound Pressure Measurement.

place in relation to heritage means a site, area, object, building or other work and group of buildings or other works together with associated contents and surroundings.

planning scheme area means the Municipal area of Kingborough as depicted in Registered Plan 2478 dated 19 June 1992 in addition to that area contained within the thick black line on the Scheme plans.

plot ratio means the total gross floor area of a building/s as a proportion of the total site area, expressed as a percentage and includes all outbuildings.* (*Am.A28 g. 17/2/05)

pollutant has the same meaning as that used in EMPCA.

precautionary principle means to ensure that where there are threats of serious or irreversible environmental damage, lack of full scientific knowledge is not used as a reason for allowing environmental degradation.

preservation in relation to heritage means maintaining the fabric of a place in its existing state and retarding deterioration.

prime agricultural land has the meaning described in the State Policy on the Protection of Agricultural Land 2000.

private open space means an open area of land or building attached to a dwelling (eg balcony or roof garden) intended for the exclusive use of the occupants of the dwelling, and located and designed so as to offer visual privacy to the occupants.

reconstruction means returning a place as nearly as possible to a known earlier state and is distinguished by the introduction of new or recycled materials into the fabric.

regulatory authority has the same meaning as that used in the State Policy on Water Quality Management 1997.

Reserves Management Code of Practice means the Reserves Management Code of Practice, Parks and Wildlife Service 2001.

restoration means returning the existing fabric of a place to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material.

ribbon development means a dwelling(s) in a continuous or, in the opinion of Council, an almost continuous row on one or both sides of a road extending outwards from the edge of a town, township, village or settlement. For the purposes of this definition, towns, townships, villages and settlements contain both a local shop(s) and public buildings such as but not limited to a church(s), police station(s), council chambers or the like. Ribbon development is not an isolated settlement.

road means land over which the general public has permanent right of passage including the whole width between abutting property boundaries, all footpaths and the like, and all bridges over which such a road passes, being a State road which is the responsibility of the Minister, or a road shown on the Municipal Plan and maintained by Council.

road authority means for State roads the Minister administering the *Roads and Jetties Act 1935* and for Council roads, Council.

sensitive use means residential areas and buildings, schools, hospitals, caravan parks and similar uses involving the presence of people for extended periods.

setback means the shortest horizontal distance from a boundary of a lot to any part of a building on that lot but does not include any fence or other structure that is exempt under Part 4 of the Scheme.

site means the lot(s) on which a use or development is proposed to be carried out.

site coverage means the portion of a site covered by buildings excluding unroofed structures and decks with floor levels below 1 metre above natural ground level.* (Am.2006-8 g.12/9/07).

soil and water management plan refers to a plan prepared in accordance with the Soil and Water Management Code of Practice for Hobart Regional Councils.

state road means a road as defined as such in the *Roads and Jetties Act 1935*.

storey means a space within a building which is situated between one floor and the floor level next above, or if there is no floor above, the ceiling or roof above, but not:

(a) a space that contains only:

- (i) a lift shaft or stairway or meter room; or
- (ii) a bathroom, shower room, laundry, water closet or other sanitary compartment; or
- (iii) accommodation intended for not more than 3 vehicles; or
- (iv) a combination of the above; or

(b) a mezzanine.

subdivide means to divide the surface of a block of land by creating estates or interests giving separate rights of occupation otherwise than by:

- (a) a lease of a building or of the land belonging to and contiguous to building between the occupiers of that building;
- (b) a lease of airspace around or above a building;
- (c) a lease of a term not exceeding 10 years or for a term not capable of exceeding 10 years;
- (d) the creation of a flat on a stratum plan;
- (e) an order adhering existing parcels of land.

suitably qualified person means a person recognised by Council as having the expertise by qualification or experience to provide professional advice within the field within which they are commenting.

telecommunications infrastructure means any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use, or in communications with a telecommunications network.

telecommunications network means a system, or series of systems, that carries or is capable of carrying communications by means of guided and or unguided electromagnetic energy.

threatening process has the same meaning as that used in the *Threatened Species Protection Act 1995* (**Am. 2005-4 g 21/12/06).

tower in relation to Schedule 12 of the Scheme means a tower, pole, mast or similar structure used to supply a carriage service by means of telecommunication.

traffic impact assessment (or TIA) means a study generally in accordance with the "Traffic Impact Assessment Guidelines" first published by the Land Transport Planning Branch of the Department of Infrastructure Energy and Resources in the year 2000 which shows with respect to a use or development:

- (a) traffic movements which are likely to be generated by it;
- (b) the significance of those traffic movements and their impacts on the existing road network;
- (c) where required by those guidelines, the environmental impacts of these movements;
- (d) any environmental improvements or changes to the road system recommended as a consequence of those traffic movements.

transition to certification means a property that has applied for organic or biodynamic certification and is currently under the inspection system or an organisation accredited by the Australian Quarantine and Inspection Service to carry out organic or biodynamic certification.

tree means:

- (a) any wood plants with a height or potential height greater than 5m, whether or not living, dead, standing or fallen, that are:
 - (i) native to Tasmania;
 - (ii) introduced to Tasmania;
 - (iii) introduced to Tasmania and used for the processing or harvesting of timber; and
- (b) tree ferns.

trunk bus route is defined as a bus route serviced by no less than 1 service every hour between the hours of 8am and 6pm on Monday to Friday and with regular services on Saturday.* (*Am.A33 g. 29/6/05)

use has the same meaning as that used in the Act.

wall height means:

- (a) Where the pitch of the roof is less than 25 degrees the vertical distance measured between natural ground level and the underside of the eaves.
- (b) For gable ends or where the pitch of the roof is greater than 25 degrees, the vertical distance measured between the natural ground level and a point half way between the underside of the eaves and highest ridge line of the roof.

waterway means a natural depression carrying perennial or intermittent flows of surface water for part or all of most years, consisting of a defined channel, with banks and a bed along which water may flow. Classes of waterways are as follows:

- (a) **Class 1 waterway** means rivers and lakes which are important for town water supplies or recreational use.
- (b) **Class 2 waterway** means creeks, streams and other watercourses from the point where their catchment exceeds 100 hectares.
- (c) **Class 3 waterway** means watercourses carrying running water for most of the year between the points where their catchment is between 50 and 100 hectares.
- (d) **Class 4 waterway** means a watercourse, other than a Class 1-3 waterway, having at least one of the following features:
 - Gravelly, pebbly, rocky or sandy bed, indicative of flowing water;
 - An obvious gully;
 - A short steep section of streambank adjacent to the streambed.

wetland means a seasonal or permanent body of water or a waterlogged area forming a habitat for aquatic plants and animals.

works has the same meaning as that used in the Act.

2.0 Planning Scheme Objectives

2.1 Planning Scheme Principles

2.1.1 The following principles are incorporated into the Scheme:

- (a) a focus on performance standards in assessing use or development;
- (b) greater flexibility through Use Classes to assess applications for use or development based on merit;
- (c) land use zonings based on a ten year time frame for effective regulation of use or development, having regard to likely development pressures and infrastructure capacity.

2.2 Scheme Objectives

2.2.1 To achieve sustainable use and development of resources in the planning scheme area, the following objectives apply:

- (i) To facilitate decision making which maximises the sustainable **commercial use and development of resources** by:
 - (a) providing for a growing and diversified economy focusing on employment generation, which can enhance the capacity for sustainable use of the planning scheme area's resources while protecting its key natural resource assets;
 - (b) providing a range of sustainable development opportunities which incorporate innovation and quality design outcomes that contribute to the quality of life and amenity of existing and future residents;
 - (c) ensuring effective integration of long and short term economic, environmental, social and equity considerations whilst recognising the cumulative environmental impact of certain types of developments;
- (ii) To retain and maintain **natural ecological processes** by ensuring:
 - (a) the minimisation of interference with natural processes particularly those which are important in protecting the planning scheme area's natural resources;
 - (b) the maintenance of natural areas of forests, grasslands, wetlands, heath lands, coastal and near shore and riverine environments and the ecological processes on which life depends;
 - (c) the protection of important flora and fauna habitats from inappropriate development or use and their affects and impacts;
 - (d) the maintenance and enhancement of the physical and biological quality of surface and ground water;
 - (e) the restoration of damaged or degraded physical environments;
 - (f) monitoring of impacts of use or development occurs if it is foreseeable that they may affect land instability, natural coastal processes and hazards.

- (iii) To protect **cultural heritage** by ensuring:
 - (a) sites of traditional and contemporary Aboriginal heritage significance are identified and protected;
 - (b) evidence of the historic themes which are representative of the planning scheme area's development is maintained and, where possible, rehabilitated;
 - (c) items, sites, buildings and features of cultural heritage significance are given adequate protection from inappropriate use or development;
 - (d) the protection of significant viewsheds and landscapes of cultural significance to the local community and visitors alike.
- (iv) To apply **responsible** and **equitable decision making** by ensuring:
 - (a) all appropriate information is collected to confirm the full ramifications of an application for use or development before it is given approval;
 - (b) that decision making about the use or development of resources and enforcement procedures provide for integrated decision making;
 - (c) the precautionary principle is applied with respect to the impacts of greenhouse-induced sea level rise as well as other matters where the full understanding of particular processes, or the consequences of use or development are not fully understood.
- (v) To facilitate specific **settlement strategy outcomes** by ensuring:
 - (a) future expansion of settlements have regard to any policies and programmes of the State Government and Council, particularly those covering roads and access provision, resource development, resource protection, agricultural land protection, coastal management and emergency risk management; and
 - (b) existing programmes to upgrade the amenity, appearance and open space provision of existing townships should continue with particular emphasis on improvement of public access for a range of users.
- (vi) To achieve **better integration of landuse and transport strategies** by ensuring:
 - (a) the level of access to the planning scheme area's resources and social and economic assets are not diminished or allowed to be degraded by:
 - (i) creating new and unplanned access points;
 - (ii) allowing new use or development close to roads which would reduce service and safety levels;
 - (iii) allowing the road reservation to be used for commercial advertising and promotion purposes; and
 - (iv) adversely impacting on the capacity to use transport networks as infrastructure corridors;
 - (b) the location and form of construction of new transport infrastructure does not dominate the landscape and generally follows natural land contours;
 - (c) in urban environments new subdivisions promote inter and intra suburban travel;
 - (d) the expansion of employment within the planning scheme area so as to reduce growth in vehicle volumes along the Southern Outlet;

- (e) new use or development enhances and is integrated with public transport including promotion of urban consolidation principles for residential development;
 - (f) major traffic generating development is located in the most accessible locations for multiple modes of transport,
 - (g) public transport and other means of movement beyond private cars are given greater consideration in decision making.
- (vii) To promote **visitor and recreation attractions** and facilities by ensuring:
- (a) there is a capacity to allow for a range of facilities in a variety of locations to meet both existing and emerging visitor and recreational needs in an environmentally responsible manner;
 - (b) the development of tourism and recreational infrastructure and facilities are closely linked to the planning scheme area's major visitor attractions;
 - (c) facilities and infrastructure do not dominate nor detract from the character and qualities of attractions either through over development, inappropriate design or poor siting;
 - (d) nature-based tourism is encouraged with an overriding regard to environmental impact and public safety issues;
 - (e) alternative means of access to attractions, particularly walking trails and bicycle trails are allowed for in planning of visitor and recreation facilities. In allowing development it will be necessary to consider the needs of users who require different forms of access;
 - (f) recreational facilities are provided in response to emerging needs within the existing and future population, particularly the demand for more informal and outdoor recreation and the needs of an aging population.
- (viii)*To achieve **better urban design outcomes** by ensuring:
- (a) there is an emphasis on streetscape and neighbourhood character in the assessment of new development, especially residential and commercial and particularly where the use of performance standards in relation to height, scale, setbacks, plot ratio or building materials is concerned;
 - (b) parking areas and associated facilities and infrastructure are located in a subservient manner to new development, being generally behind the building line of the existing or proposed new building;
 - (c) there is clear recognition of the value of well designed residential and commercial development in enhancing and promoting streets, footpaths and adjoining spaces as interesting and accessible public spaces.

(*Am.A35 g. 7/3/05)

3.0 Scheme Operation and Administration

3.1 Zones and Use Classes

3.1.1 The Scheme area is divided into zones defined on the basis of broadly similar sets of natural, economic and community values.

3.1.2 The zones used in the Scheme are:

- Residential
- Business and Civic
- Industrial
- Primary Industries
- Recreation
- Environmental Management* (*Am.A35 g. 7/3/05)

3.1.3 Use Classes designated for use in this Scheme are

- Residential
- Business and Civic
- Utilities
- Industrial
- Primary Industries
- Recreation
- Environmental Protection

3.1.4 Use Classes are defined as below.

Use Class	Definition	Include but not limited to following
Residential Use Class	Use of land for one or more dwellings providing predominantly longer term accommodation.	Single dwellings, boarding houses, grouped houses, communal dwellings, conjoined dwellings, apartments, flats, multiple dwellings, dwellings which may include an ancillary flat and retirement villages.
Business and Civic Use Class	Use of land for business, professional, commercial, civic and cultural functions.	Shops, take away food shops, restaurants, licensed establishments, motels, offices, consulting rooms, veterinary establishments, amusement centres, showrooms, saleyards, plant sales and hire yards, banks, garden centres, service stations, domestic businesses, holiday flats, caravan parks, indoor sporting facilities, churches, museums, art galleries, libraries, educational establishments, hospitals, fire, ambulance and emergency service stations and child care centres.

Industrial Class	Use	Use of land for the manufacture, dismantling, processing, assembly, storage, distribution or maintenance and repair of goods and products.	Car and machinery repair yards, fabrication, manufacture and production of goods and articles, metal and wood fabrication establishments, sawmills, storage and distribution warehouses, transport depots, wood yards, scrap yards, abattoirs and fuel depots.
Primary Industries Use Class		Use of land for primary production which involves the use, and the planting, growing, harvesting crops and/or livestock and the extraction of natural resources.	Intensive animal husbandry, cropping, commercial forestry, extraction of rocks and minerals, grain and vegetable production, grazing, horticulture, and aquaculture. It includes buildings and works directly associated with these uses.
Environmental Protection Use Class		Use of land associated with the maintenance, protection or management of ecological systems or features of environmental and cultural significance.	Construction of walking tracks, buildings, fencing, interpretive signs, removal of environmental weeds and restoration of native vegetation.
Recreation Use Class		Use of land for recreation and sporting purposes predominantly in outdoor settings.	Buildings and works required as part of and directly associated with these uses such as boat ramps, jetties, walking trails, access roads and parking areas but excludes land used for indoor sports stadiums or other indoor recreation.
Utilities Use Class		Use of land for infrastructure services established or provided by public or private sources.	Communications facilities, power stations, roads and road works, railways, sewerage and water treatment works, water storage, refuse disposal sites, ports and wharves.

3.1.5* If a use or development falls within a Use Class that can occur within a zone and which is not prohibited or exempt, an application for use or development must also show that it can perform in relation to the Scheme standards and applicable desired future character statements and strategies.* (*Am.2006-10 g.12/9/07)

3.1.6 Within each zone, each Use Class is designated as either:

(a) Planning permit required:

- (i) Use or development which meets all relevant Acceptable Solutions for the specified zone and schedules is to be assessed in accordance with S58 of the Act and will be taken to be in compliance with the zone objectives, desired future character statements and accompanying strategies and must be approved with or without conditions.

- (ii) Use or development which does not meet all Acceptable* Solutions for the specified zone and schedules is to be assessed in accordance with S57 of the Act and will be assessed to determine compliance with the zone objectives, desired future character statements and accompanying strategies. Council may approve with or without conditions or refuse an application subject to S57 of the Act. (*Am.A35 g. 7/3/05)

(b) Prohibited:

Use or development that is deemed to be not in accordance with the objectives of the zone, desired future character statements and accompanying strategies and therefore must be refused.

3.1.6A*Implementation of Planning Directive – Standards for single Dwellings in Current Planning Schemes

If a development to which Planning Directive – Standards for Single Dwellings in Current Planning Schemes applies does not meet, in relation to a matter that could affect, or be affected by, the development, an Acceptable Solution specified in relation to that matter in the planning directive, the Council, acting as a planning authority, has the discretion to refuse the development if it is satisfied that the Performance Criteria specified in the planning directive in relation to the matter are not satisfied by the development.

(*Am – Planning Directive No. 4 – Amended 29/8/11 as directed by Tasmanian Planning Commission)

- 3.1.7 An application must specify the proposed use(s) of the land or development upon that land.
- 3.1.8 Each use or development must be categorised within a Use Class. Where there is doubt as to the categorisation of a use or development Council must categorise it within the most appropriate Use Class taking into account:
 - (a) the objectives of the Scheme; and
 - (b) the objectives of the zone in which it is to take place.
- 3.1.9 An indication that a particular use or development within a Use Class may occur within a zone does not imply rights to carry out that use or development. This right may be gained only by the granting of a permit by Council unless the use or development is listed as exempt under Part 4 of the Scheme.
- 3.1.10 Unless otherwise zoned, all land below High Water Mark is deemed to be within the Environmental Management Zone.
- 3.1.11* In respect of an application for a permit for the demolition of a building or works not otherwise exempt under Clause 4.1(f):
 - (a) if the demolition is to be undertaken in conjunction with other building development it is to be treated as part of that development for the purposes of applying the provisions of the Scheme; or
 - (b) if the demolition is not to be undertaken in conjunction with other building development, it is to be treated as an application to which section 57 of the Act applies, or

- (c) if the demolition relates to a place or places identified in the Heritage Schedule or in any register or list referred to in that Schedule such an application is to be assessed in accordance with the standards of that schedule.

(*Am.A29 g. 29/6/05)

3.2 Scheme Standards

- 3.2.1 Scheme standards are derived from the objectives identified in the Scheme and are the means by which the desired use or development outcomes are to be achieved. These come in the form of zone standards and schedule standards.

- 3.2.2 Scheme standards are of two types:

(a) Acceptable Solution (Deemed to Comply)

Those matters set out in a zone or schedule which are objective (generally measurable) criteria designated as an acceptable means of meeting the corresponding principle. Use or development that complies with all relevant Acceptable Solutions must be approved with or without conditions.

(b) Alternative Solution (Requires Justification)

Those matters set out in a zone or schedule which are generally subjective to assess performance against the corresponding principle. Use or development that applies Alternative Solutions may be approved or refused by Council.

- 3.2.3* Application compliance with the scheme standards is to be determined as follows:

- (a) Where an Acceptable Solution is not provided for in any relevant zone or schedule provision, all use or development must comply with the Alternative Solution.
- (b) Where an Alternative Solution is not provided for in any relevant zone or schedule provision, all use or development must comply with the Acceptable Solution.
- (c) Where a use or development does not comply with either a relevant Acceptable Solution (if any) or the corresponding Alternative Solution (if any), the use or development is prohibited and any permit application must be refused.

(*Am.A34 g. 29/6/05)

- 3.2.4 In situations where any inconsistency may arise between zone and schedule provisions the schedule provisions will prevail.

3.3 Use or Development within more than one Use Class

- 3.3.1 Ancillary Use or Development

Where a proposed use or development constitutes an integral and subservient part of an existing or proposed use or development, it will be treated as part of that use or development categorised in a Use Class in Part 3 of the Scheme.

3.3.2 Multiple Use or Development

Where a proposed use or development is not an integral and subservient part of an existing or proposed use or development, it will be categorised separately in a Use Class in Part 3 of the Scheme.

3.4 Application Requirements

3.4.1 A person wishing to carry out use or development in the planning scheme area must submit an application for a permit to Council unless the proposed use or development is listed as exempt under Part 4 of the Scheme.

3.4.2. An application for a permit is to include the following:

- (a) a completed application for use or development in such form as may be adopted by Council;
- (b) a copy of a certificate of title (or a “Result of Search” issue by the Recorder of Titles), title plan and schedule of easements (if any) for the land on which the use or development is proposed;
- (c) sufficient documentation to demonstrate performance in accordance with the relevant Scheme standards and desired future character statements and strategies; and* (*Am2006-10 g.12/9/07)
- (d) any fees prescribed by Council.

3.4.3 A site analysis plan is to be provided with dimensions at a scale generally not less than 1:100 or such other scale acceptable to Council showing where relevant:

- (a) the direction of true north;
- (b) the internal layout of each building on the site (if any);
- (c) external storage spaces;
- (d) car parking space location and layout;
- (e) elevations of every building showing any proposed cut or fill;
- (f) materials to be used on roof and external walls;
- (g) the private open space for each dwelling as well as any proposed open space or communal space or facilities where applicable;
- (h) shadow diagrams and landscaping where required by any relevant Scheme standards;
- (i) proposed subdivision lot boundaries where applicable;
- (j) machinery to be installed on the site, the proposed hours of operation and number of employees;
- (k) proposed roads, driveways, car parking areas and footpaths within the development site including existing pedestrian and vehicle access to the development site;
- (l) contours showing changes in level and topography across the site;
- (m) desirable view corridors;
- (n) the position, type and size of trees greater than 10m in height and any trees to be removed;
- (o) the location of any easements or piped services traversing the site and any sewer connection point servicing the site; and
- (p) any relevant information to demonstrate that the proposed use or development is able to address all identified site constraints.

An example of an acceptable standard of site analysis incorporated into a proposal for use or development is shown in Figure 3.1.

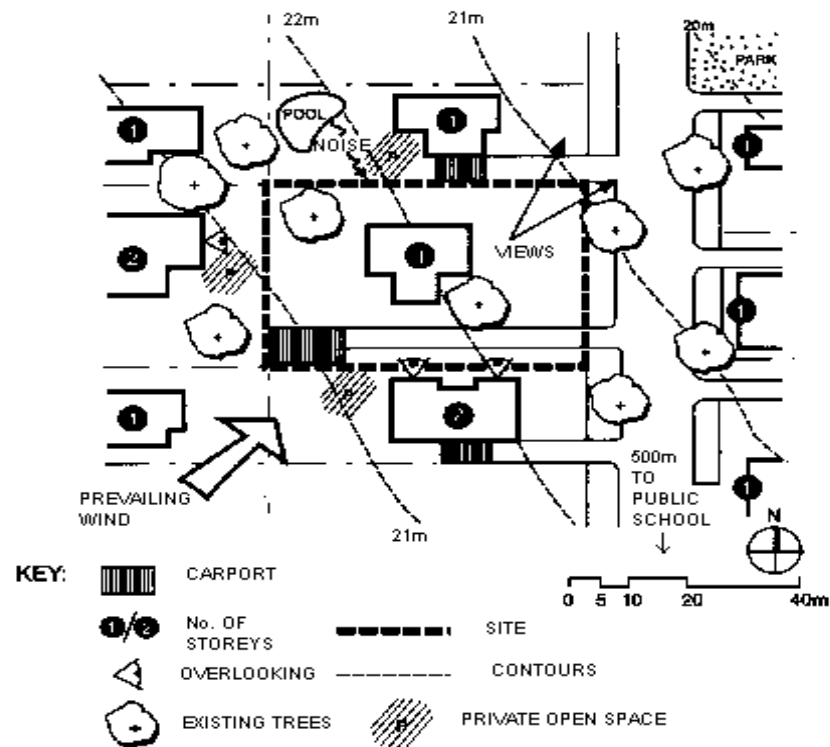


Figure 3.1

- 3.4.4 In addressing site constraints, Council may require a description of how environmental impacts of a proposed use or development are to be managed, demonstrating how the use or development will achieve an ongoing minimisation of the activity's environmental harm in accordance with codes of practice applicable to the activity.
- 3.4.5 Where an application involves the use of Alternative Solutions for assessing compliance of development with neighbourhood character the site plan is to identify the manner in which the relevant issue/s has been addressed having full regard to the scale, form and design of adjoining/nearby development.
- 3.4.6 All new development within the Business and Civic Use Class shall, in addition to any requirements listed above, include a street level schematic plan of the relation between the proposed use or development and adjoining use or development. An example of such a perspective is provided in Figure 3.2.

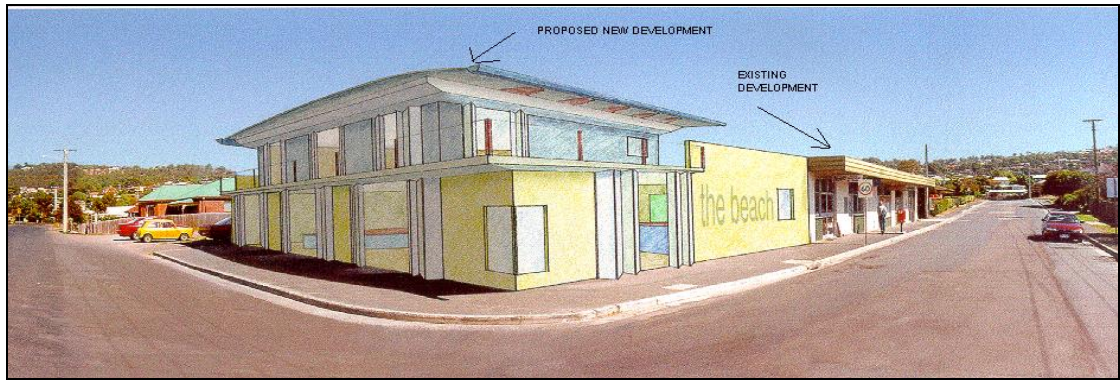


Figure 3.2

- 3.4.7 Where a soil and water management plan is required to be prepared for a site it shall be prepared in accordance with the requirements set out in the Soil and Water Management Code of Practice for Hobart Regional Councils.
- 3.4.8 Where use or development requires the carrying out of works across zone boundary or local government administrative boundaries, the proposal plan is to show the total use or development and how it is intended to integrate it across these boundaries.
- 3.4.9 The following information is required to accompany applications for use or development in bushfire prone areas:
- (a) site plan or plan of subdivision showing the building envelope(s);
 - (b) areas of standing vegetation;
 - (c) slope of the land;
 - (d) areas proposed to be managed as BPZ and FMBZ;
 - (e) the nearest access to an area beyond the bushfire prone area;
 - (f) proposed fire trails, including their connection to an access beyond the bushfire prone area;
 - (g) the water supply for fire suppression purposes.
- 3.4.10 Where an existing place listed in Schedule 2 of the Scheme is proposed to have its fabric altered or lost through modification or demolition provision of the following information is required:
- (a) any heritage assessment reports previously undertaken;
 - (b) photographs of the place;
 - (c) a justification for the application.
- 3.4.11 An application for use or development to which Schedule 12 of the Scheme applies is to include the following:
- (a) a completed application for the use or development in such form as may be adopted by Council;
 - (b) site information in accordance with Cl.3.4.3 of the Scheme;

- (c) sufficient information to demonstrate to the satisfaction of Council that the objectives and performance criteria in Schedule 12 of the Scheme will be achieved during the installation and operation of the proposed telecommunications infrastructure;
- (d) a completed copy of the certificate of title of the land on which the use or development is proposed
- (e) where the applicant is not the owner, the application must be signed by the owner or be accompanied by an authorisation in writing from the owner for submission of the proposed development;
- (f) details of the proposed telecommunications network within the local area and its relationship to the proposed use or development;
- (g) any fees prescribed by Council; and
- (h) if Council requires it, an Environmental Impact Statement addressing the following:

Checklist for Environmental Impact Reports by Carriers

Item	Comment
1 Type of facility and location	Location of the facility (antenna and ground installation).
2. Purpose and need for the proposed facility	<ul style="list-style-type: none"> (i) The need for the facility and its role within a network. (ii) The anticipated need for, and likely locations of, further installations to provide an overall appreciation of the impact. (iii) Liaison with other Carriers. (iv) The feasibility of Co-location, etc. (v) Siting options. (vi) Installation option.
3. Design	<ul style="list-style-type: none"> (i) Design drawings of the facility: antenna(s), towers, ground installation, etc. (ii) Explain choice of structure. (iii) Details of adjacent land uses. (iv) Details of any adjacent structures. (v) Details of access (roads etc) (vi) Description of materials and finishes. (vii) Details of existing vegetation to be removed or damaged in the vicinity, including identification of any trees to be removed. (viii) Details of revegetation and site stabilisation. (ix) Arrangements for provision of power to site. (x) Details of any external lighting.
4. Description of the physical environment and possible physical impacts	<ul style="list-style-type: none"> (i) Address potential impacts arising from the construction and maintenance of the facility (eg flora, fauna, noise, erosion and runoff control, construction of access and power supply, areas of special significance). (ii) Focus on aspects which are particular to the site. (iii) Details of measures to protect local environment (including flora and fauna) during construction (eg erosion and runoff control, vehicle management, stockpiling and storage).
5. Electro magnetic emission	Projected EME levels for the proposed site.
6. Visual Assessment	Assessment of the impact of the application in visual terms. Refer to visual assessment checklist.
7. Social Issues (if appropriate)	Discussion of community concerns.
8. Consultations	<ul style="list-style-type: none"> (i) Details of consultations with the land owners/occupants. (ii) Carriers must consult with owners before lodging the application.

9. Conclusions and Recommendations	(i)	Summary of the relevant issues.
	(ii)	Alternative technical and design options.
	(iii)	Alternative locations including Co-masting options.
	(iv)	Discussion of cumulative impacts.
	(v)	Justification of the proposal.
	(vi)	Conclusions.
10. Plans	(i)	Location Plan.
	(ii)	Site Plan/Landscape Plan.
	(iii)	Design of facility (plan and elevations of antenna and ground installation).

Visual Assessment Checklist

Item	Comment
1. Context	(i) The visual catchment of the site (and installation).
	(ii) The elements that go to make up the landscape or townscape context, including slope, cover, colour, vegetation or built environment, and major features.
	(iii) The physical scale of the proposed telecommunications infrastructure.
	(iv) Presence of other antennas and vertical elements.
	(v) Any special landscape value of the site.
	(vi) Cumulative impact of this and further antennas.
	(vii) Relationship to existing vegetation and the potential intrusiveness of the installation.
	(viii) Relationship to buildings/structures.
2. Siting	(i) Height of the antenna in relationship to the surrounding landform.
	(ii) Topographical features and natural vegetation.
	(iii) Impact on skyline or treeline.
	(iv) Distance from sensitive receptors.
3. Appearance	(i) Materials (particularly relevant for ground installations).
	(ii) Colour.
	(iii) Reflectivity.
	(iv) Design.
	(v) Height.
	(vi) Antenna type and bulk.
	(vii) Plant and room.
	(viii) Proposed landscape work.
4. Plans and Photos	A plan is to be prepared indicating the viewshed of the antenna, the location of any key viewing points. The scale of the plan will depend on the extent of visual impact.

3.4.12 Where the applicant demonstrates to Council's satisfaction that any of the above information or plans is not relevant to the assessment of the proposal, such information may be omitted from the plans.

3.5 Issuing Approval or Refusal of an Application

3.5.1 Council must consider an application for a proposed use or development under the relevant provisions of the Scheme namely:

- the objectives of the zone, Desired Future Character Statements and accompanying Strategies;
- the applicable planning standards and principles;
- the provisions of Part 2 of the Scheme;
- any relevant requirements contained in the Act; and
- any other applicable legislation.

3.5.2 Having determined an application for a permit, Council must:

- (a) issue a written permit specifying any conditions or restrictions imposed on the use or development; or
- (b) issue a written refusal for the use or development stating the grounds of refusal.

3.6 Exemptions

3.6.1 An application for a permit is not required for use or development listed in Part 4 of the Scheme.

3.7 Permit Subject to Compliance with Conditions

3.7.1 Council may grant a permit subject to a condition that the use or development is not to commence until the applicant satisfies Council as to any matter specified in that condition. Council may specify the period within which compliance with the condition is required.

3.8 Staged Permits

3.8.1 Where an application is submitted for use or development consisting of several parts which may require separate permits, a permit may be granted for:

- (a) the entire use or development for which approval is sought; or
- (b) the entire use or development, except for a specified part of that use or development; or
- (c) a specified part of that use or development.

3.8.2 Permits under clause 3.8.1 may be granted subject to a condition that a specified part of the use or development must be the subject of further application for a permit. Where a subsequent permit is granted for a specified part of a use or development, it must be in accordance with the application for the entire use or development.

3.8.3 Where a permit is granted for the entire use or development, the separate parts of use or development do not require a further permit from Council if they are carried out in accordance with the requirements and any conditions attached to that permit.

3.8.4 Where the application is for subdivision involving more than 3 lots the number of allotments proposed to be created in relation to the number of existing allotments in the locality and their rate of development must be considered prior to a staged permit being issued.

3.9 Existing Use or Development

3.9.1 Subject to the provisions of Section 20 of the Act and notwithstanding any other provisions of this Scheme, Council may at its discretion allow an existing building lawfully erected at the effective date to be rebuilt following its destruction by fire, flood or other natural or human-induced disaster, provided such destruction was not the result of the wilful act of the owner, and the external dimensions of the building being rebuilt are not increased.

- 3.9.2 Subject to the provisions of Section 20 of the Act and notwithstanding any other provision of this Scheme, Council may at its discretion grant a permit for the extension of an Existing Non Conforming Use provided that no such permit shall result in the Gross Floor Area or site area, as the context permits, exceeding by more than 25% the Gross Floor Area or site area which existed or had been approved by the Council prior to the effective date.

3.10 Other Approvals

- 3.10.1 An approval granted or exemption from approval provided under the Scheme does not absolve any person from the need to obtain any licence, permit or approval required under any applicable legislation.

3.11 Substantially Commenced

- 3.11.1 Notwithstanding any other provision of the Scheme, any permit for use or development issued under Kingborough Planning Scheme 1988 or Bruny Island Planning Scheme 1986 but not substantially commenced may be acted upon within 2 years of the date of issue of such permit or such further period as may be granted under S53(5) of the Act.

3.12 Time Limits on Permits

- 3.12.1 Council may attach a condition to a permit which limits the period for which the permit is valid. Such a permit may only be renewed by the submission of a new application in accordance with Clause 3.4 of the Scheme. Failure to comply with the conditions of the original permit will be taken into account in making a decision on a new application substantially the same as any expired permit.

4.0 Exemptions

4.1 The Following Use or Development does not require a Permit under the Scheme:

- (a) **Building Alterations:** Any internal building alterations including plastering, painting, cement rendering, cladding, attaching fittings and decorative work (except where listed as a heritage item in Schedule 2).
- (b) **Vegetation Removal/Destruction:** The removal or destruction of vegetation:
 - (i) for fire management purposes which do not involve the removal of a tree or trees greater than 10m in height unless that tree is within 10m of an occupied building or a site approved for building;
 - (ii) for fire hazard reduction required by an abatement order under the *Local Government Act 1993* or the *Fire Service Act 1979*;
 - (iii) to make way for a use or development which has been granted a permit by Council;
 - (iv) for the normal maintenance of infrastructure;
 - (v) identified as an environmental weed, where weed removal is proposed within 10m of a waterway or the coastal area and such work is supported by a plan of management prepared by a suitably qualified person
 - (vi) for general maintenance, harvesting and/or improvements associated with existing pastoral and/or cropping operations provided:
 - (a) no flora listed in Schedule 10 is disturbed/destroyed; and
 - (b) if in the Primary Industries Zone involves less than 1 ha of land clearance and is supported by a plan of management justifying the activity as part of the farming operations; and
 - (c) if in any other zone effects an area less than 500m² in area and has not been preceded by clearing within the past 2 years for the same purpose;
 - (vii) for routine maintenance associated with a domestic garden and/or including vegetation planting or pruning;
 - (viii) for removal or trimming of trees to provide for public safety and to protect property;
 - (ix) where the land has been declared as a private timber reserve under the *Forest Practices Act 1985*;
 - (x) where Council's General Manager has otherwise issued approval under a bylaw.
- (c) **Fences and Retaining Walls:** The following are exempt from planning approval:
 - (i) side and rear boundary fences and retaining walls not adjoining a road and not exceeding a combined height of 2.1m above natural ground level; and
 - (ii) boundary fences and retaining walls adjoining a road and not exceeding a height of 1.2m above natural ground level and not on a heritage site listed in the Scheme; and

- (iii) fencing to 2.1m in height above natural ground level within the Industrial Zone where supported by a landscape plan prepared by a suitably qualified person.

- (d) **Infrastructure Works:** Works carried out for the maintenance and repair of infrastructure including but not necessarily limited to tracks, footpaths, drains, sewers, power lines, pipelines and telecommunications facilities; and may also include unroofed structures erected within a road reservation by a public authority or Council including but not necessarily limited to street furniture, fire hydrants, traffic control devices and street lights and shall also include the provision of water reservoirs by Council.

With respect to roads, no approval is required for use or development where:

- (i) prior approval of the Road Authority has been issued; or
- (ii) the person commencing that use or undertaking that development is authorised by any Regulation to do so on a road without the consent by the Road Authority; or
- (iii) traffic control devices, road signs, street lighting or street landscaping installed by the Road Authority are concerned; or
- (iv) works are solely within the road reservation and relate to the maintenance, repair or upgrade of a road; and
- (v) no vegetation identified in Schedule 10 is affected.

With respect to telecommunications facilities, no approval is required for use or development for:

- (i) the installation and development of low-impact facilities;
- (ii) works involved in the inspection of land by a carrier to identify suitability for its purpose;
- (iii) the installation and development of a facility granted a facility installation permit by the Australian Communications Authority;
- (iv) works involving the maintenance of telecommunications facilities;
- (v) works meeting the transitional arrangements defined in Part 2 of Schedule 3 of the *Telecommunications Act 1997*; or
- (vi) the connection of a telecommunications line forming part of a telecommunications network to a building, structure, caravan or mobile home.

- (e) **Minor Domestic Structures:** Minor buildings or structures (excluding signs) including non-commercial dog kennels, garden sheds, glasshouses, rubbish receptacles, garages, sheds or other such minor structures for the domestic needs of the occupants provided that:
 - (i) the buildings or structures are part of an existing lawful development; and
 - the gross floor area of the building or structure does not exceed 50 sq.m (except in the case of the Residential Zone where it shall be 36 sq.m) and it is located behind the building line and there is one only such building or structure;
 - no part of the building or structure is higher than 3m in the case of a flat or mono pitched roof construction and 3.5m in the case of a construction where the pitch is at least 15 degrees;

- the relevant Acceptable Solutions for side and rear setbacks are met, other than in the Residential Zone where buildings with a wall length of 6m or less can be built on the boundary or any point between the side and rear boundary and the dwelling;
 - no part of the building or structure encroaches within any service easement or within 1 metre of any underground service;
 - no part of the building or structure is located within 30m of a wetland, waterway or high water mark of the coastal area;
- (ii) no more than two aerials or antennae to a maximum height of 8m (measured from natural ground level immediately below that point);
- (iii) any number of satellite dish antenna with a total area of the dish attached to the supporting structure is 12.57 4 sq.m or less;
- (iv) no more than 1 flagpole to a maximum height of 6m (measured from natural ground level immediately below that point);
- (f) **Demolition:** The demolition in whole or in part of a building or works the construction of which would be exempt under Part 4 of the Scheme and is not on a place identified in the heritage schedule or any heritage list referenced in that schedule;* (*Am.A29 g. 29/6/05)
- (g) **Occasional Events:** Occasional sporting, social and cultural events that do not occur more than 3 times within a calendar year.
- (h) **Signage:** The construction or erection of a sign as development and the display of information upon that sign as use, other than signs requiring approval under Schedule 8 of the Scheme, where:
- (i) displaying a dwelling name or street number with an area no greater than 0.5 sq.m;
 - (ii) relating to any building construction or works being carried out on the land provided it is exhibited only for the duration of such building construction or works;
 - (iii) relating to the letting or sale of the land on which it is erected provided it is removed within 30 days following the lease or a contract of sale being placed on the property;
 - (iv) relating to any local event of an educational, cultural, political, religious, social or recreational nature provided it is exhibited for no more than 42 days;
 - (v) required by a statutory authority for the safety of people or traffic or for the protection of goods, structures or buildings;
 - (vi) the advertisement displays a message relating to the premises on which it is situated and the advertisement and any structure together provided the lettering does not exceed 0.3m in height and is non-illuminated;
 - (vii) refacing an existing sign provided this does not involve other changes to the sign with respect to size, location or the use of illumination where previously not illuminated;

- (viii) signs indicating the direction and distance to destinations of key interest to visitors including:
 - town or commercial centres;
 - major natural visitor attractions;
 - visitor service locations;
 - Tasmanian Visitor Information Centres;
 - Attractions of State significance as defined in the Tasmanian Roadside Signs Manual (May 2001);
 - visitor radio; and
 - natural, cultural or historic features.
- (ix) visitor information signage within a Category 1-3 Road as defined in Schedule 3 of the Scheme where permission of the Road Authority has been granted.
- (i) **Emergency Works:** Emergency works required to protect public safety, property or the environment.
- (j) **Residential dwelling:** Extensions and alterations to existing residential development including multi-unit development provided that:
 - (i) no works involve first floor additions or modifications;
 - (ii) the total extension/alterations involve no more than 20 sq.m of floor area;
 - (iii) all works are located behind the building line of the dwelling;
 - (iv) the land is not within a heritage precinct as defined in Schedule 2 of the Scheme or on a site currently identified as containing heritage items or works;
 - (v) all relevant Acceptable Solutions for side and rear setbacks and building height within the relevant zone are met.
- (k) **Boat Moorings:** Boat moorings for commercial or private use approved by Marine and Safety Tasmania (MAST) in an area already licensed to allow moorings.
- (l) **Agriculture:** The carrying on of agricultural land use practices but does not include:
 - (i) processing of produce other than handling or packing of such; or
 - (ii) the planting or harvesting of GM crops; or
 - (iii) intensive animal husbandry;
 - (iv) horticultural activities within the minimum recommended streamside riparian reserve determined for waterways under the Forest Practices Code; or
 - (v) practices involving the following within 1km of a farm holding organic certification or that is in transition to certification:
 - applications of toxic chemicals to crops or livestock; or
 - use of 1080 or other poison baits; or
 - aerial spraying; or

- applications of pesticides or herbicides; or
- application of synthetic fertilisers where these could contaminate crops, pastures or water supplies.

This exemption must be read in conjunction with exemption (b) vegetation removal/destruction where land clearance is concerned. In addition, the activities listed in (v) above are also exempt where such activities occur within 1km of a farm holding organic certification or transition to certification status if it is demonstrated that such activities occurred on the subject land immediately prior (in the last 2 years) to any property seeking or obtaining organic or transition to certification status.

(m) **Fishing**

(n) **Forestry Operations:** Where land has Private Timber Reserve status under the *Forest Practices Act 1985*;

(o) **Land reserved under the *National Parks and Reserves Management Act 2002*:** The following are exempt:

- (i) removal and/or destruction of vegetation;
- (ii) minor buildings and works:
 - construction and demolition of minor buildings and unroofed structures up to 36 sq.m in area and 4m high;
 - minor burrow pits and spoil dumps up to 1m in height or depth and 15 sq.m in area;
 - fire control dams in accordance with a fire management strategy;
 - underground services.
- (iii) maintenance and repair:
 - maintenance, repair, rehabilitation and minor internal and external alterations to existing buildings and structures;
 - maintenance, repair and rehabilitation of roads and walking tracks.
- (iv) environmental management:
 - minor environmental protection and rehabilitation works;
 - fencing, gates and barriers.
- (v) Signs
 - installation of standard reserve signs for direction and interpretation.
- (vi) Occasional use:
 - occasional use for sporting, recreation or cultural activities.
- (vii) Emergency works:
 - emergency works

5.0 Residential Zone

5.1 Objectives of the Residential Zone

- 5.1.1 The Residential Zone incorporates substantial areas of Kingston, Blackmans Bay and Tarooma and the townships and villages such as Margate, Snug, Kettering, Woodbridge, Middleton, Sandfly, Howden, Adventure Bay, Alonnah and Dennes Point within which a range of residential activities occurs as shown on the Scheme plans.
- 5.1.2 The objectives for the Residential Zone are to:
- (a) match the boundaries of the Residential Zone with those areas where both reticulated water and sewerage can be provided, as well as stormwater, roads and public transport;
 - (b) retain the character of townships and emphasise the gateways and individuality of each area;
 - (c) allow the sequencing of development in accordance with a logical pattern that reduces leapfrogging and allows more efficient infrastructure service delivery;
 - (d) encourage urban consolidation and greater housing choice through a range of housing types and residential densities; and
 - (e) allow other use or development that is compatible with these values.

5.2 Desired Future Character Statements and Strategies

- 5.2.1 The values associated with this zone and the accompanying strategies are described below:

(a) TAROOMA*

(*Am.2006-6 g. 12/9/07)

Desired Future Character Statement	Strategy
DFCS1: No new broadacre development is desired and development creeping up Bonnet Hill is to be avoided.	S1: The extent of the Residential Zoning reflects the physical limits to residential development in Tarooma. Further development within these fringe areas must incorporate fire protection measures.
DFCS2: The character of Tarooma with its extensively landscaped gardens and larger residential properties is to be protected.	S2: All new development shall have regard to the local streetscape and be sympathetic to the existing low density residential character.
DFCS3: Infill development is encouraged on sites convenient to urban facilities and services.	S3: Infill development is encouraged near the existing Tarooma Village shopping complex and where close to public transport linkages and other facilities.

(b) KINGSTON*

(*Am.2006-6 g.12/9/07) & (**PSA-2008-3 g.5/5/09)

Desired Future Character Statement	Strategy
DFCS1: The broader Kingston area will continue to be the focus for future residential development within Kingborough.	S1: The extent of residential zoned land will reflect foreseeable demands.
DFCS2: Residential development is to be in accordance with an orderly sequence that considers local infrastructure capacity and the rate of development of vacant lots.	S2: Infrastructure pricing and zoning will be used to direct the orderly sequencing of new subdivisions and suburbs.
DFCS3: Multi-unit housing is to be encouraged in appropriate areas.	S3: Multi-unit housing should be encouraged where it is convenient to the central area of Kingston.
DFCS4: Larger native Eucalypts enhance the amenity of Kingston and will be retained on residential lots where practicable.	S4: New subdivisions should contain lots of sufficient size and houses located in such a manner as to avoid the needless removal of larger trees.
DFCS5: Aged care facilities and associated housing and infrastructure are to be encouraged within appropriate areas.*	S5: Aged care facilities will be encouraged in the Redwood Road area and close to the Kingston central area.
DFCS6: Commercial development is to be directed towards the Business and Civic zoned areas and only occur within Residential zoned land if it is of a scale and character consistent with residential use.	S6: Linear commercial development in the Residential Zone along Channel Highway south of Summerleas Road roundabout is to be avoided.
DFCS7: The properties identified as 82-88 Roslyn Avenue are environmentally sensitive and new development should not be intrusive.	S7: New development should be avoided which impacts on the environmental values of Boronia Beach and its environs.
DFCS8: The properties identified as Lots 500 and 501 Village Drive Kingston are important in the provision of facilities to the Redwood Village locality. Future development of the site must not be solely residential and must make provision for community, business and recreational facilities.**	S8: Lots 500 and 501 Village Drive will serve as a focal point for community activity for the Redwood Village community. Development should incorporate a mix of residential, community and commercial uses that provide services and recreational facilities for the Redwood Village locality. In planning for use or development on this site the needs of the Redwood Village residents must be a priority and facilities for their use are to be incorporated into any future development on the site.**

(c) KINGSTON BEACH*

(*Am.2006-6 g. 12/9/07)

Desired Future Character Statement	Strategy
DFCS1: Kingston Beach with its distinct residential streetscape, heritage character and recreational opportunities should be protected from unsympathetic development.	S1: A heritage precinct applies to Kingston Beach and all new development is to address streetscape character and safeguard local heritage values.

DFCS2: In order to retain the character of predominantly single detached dwellings and cottages, medium density housing should only occur in selected locations.*	S2: Medium density housing should only be allowed on sites where: (a) it replaces existing buildings and development that detract from the neighbourhood character; and (b) the new development enhances or respects the historic patterns of settlement and can demonstrate that a suitable assessment has been carried out to identify this character.
DFCS3: New development or extensions to existing buildings is to be limited in scale to respect the height and pattern of existing buildings.	S3: The maximum height of new buildings or extensions is to not significantly exceed the highest neighbouring building.
DFCS4: Commercial development likely to result in additional traffic or adverse impacts on neighbouring residential amenity is to be avoided.	S4: Only limited commercial activities such as home offices or bed and breakfast style accommodation will be supported.
DFCS5: The character of large landscaped front yards and substantial setbacks of buildings from streets should be protected.	S5: New development as well as additions to existing buildings should seek to reinforce neighbourhood character. Lower rates of site coverage than the maximum allowed under the Scheme will in many cases be desirable.
DFCS6: The historic streetscape appearance and character of Kingston Beach is to be respected when considering future development proposals.	S6: Fencing that obstructs views from the street of buildings within the precinct should be avoided. Garages and carports should be secondary elements and incorporated into the house design where practicable.
DFCS7: Materials and finishes used in new buildings or extensions should not visually dominate existing patterns.	S7: Different materials and finishes can be employed with new development to reflect the era of design and construction. However buildings with a strong emphasis on column forms, extensive masonry, reflective metals, smoked or darkened glass and bright pastel colours are to be avoided. Buildings should blend into the streetscape and not make overt architectural statements.

(d) BLACKMANS BAY*

(*Am.2006-6 g. 12/9/07)

Desired Future Character Statement	Strategy
DFCS1: Blackmans Bay is an established residential suburb with a high level of amenity relating to coastal access, water views and lifestyle.	S1: Residential use is the primary use within the Blackmans Bay area. The amenity afforded to existing residents is to be protected where residential or other forms of use or development are sought.
DFCS2: Blackmans Bay is essentially characterized by larger lot sizes. These allow for adequate setbacks, generous landscaping and the protection of household and neighbour amenity.	S2: In order to maintain an overall lower density, future multi-unit housing development will be encouraged to locate in the central area surrounding the Opal Drive commercial precinct. Elsewhere, such unit development should only occur where it is demonstrated to not adversely impact upon the prevailing neighbourhood character. Transitions in intensity of

	subdivision are more desirable than abrupt variances in lot sizes, site coverage, building mass and scale.
DFCS3: Links to Blackmans Bay's past holiday shack heritage should be retained where practical.	S3: The remaining holiday shacks should be retained or sensitively extended where this is practical.
DFCS4: New development or extensions to existing buildings is to be limited in scale to respect the height and pattern of existing buildings.	S4: New buildings are not to exceed two storeys. In streets with larger setbacks, trees and extensive landscaping (such as Powell Road, the upper end of Jindabyne Road, Burwood Road and the like), new buildings should be of a density that effectively retains this character.
DFCS5: Blackmans Bay has water views from most properties. View corridors are a significant aspect of local residential amenity. Unnecessary impacts on this amenity should be avoided.	S5: Significant or unnecessary impacts on view corridors are to be avoided where new buildings or extensions are proposed.
DFCS7: Effective stormwater management to avoid flooding is critical in some areas.	S7: Future development should not unnecessarily impede natural drainage and on-site detention is to be encouraged where practicable.
DFCS8: Off-street parking should be provided to enable more orderly pedestrian movement, bicycle use and traffic movement.	S8: Off street parking should be provided within all new development. New development should be designed with sufficient parking to meet expected demands.

(e) HUNTINGFIELD ESTATE*

(*Am. 2006-6 g. 12/9/07)

Desired Future Character Statement	Strategy
DFCS1: Improved pedestrian connections are to be encouraged between the Huntingfield Estate and the Channel Highway.	S1: New subdivision shall provide for pedestrian links between existing and future residential subdivisions and the Channel Highway.
DFCS2: An additional vehicular access from Huntingfield Estate onto the regional road network is necessary.	S2: A second public road access from Huntingfield onto the regional road network is to be constructed before residential expansion occurs south of Guardian Court.
DFCS3: Huntingfield is to be predominantly developed as a single home area within landscaped settings.	S3: Huntingfield is not to be identified as a preferred site for unit development.

(f) HOWDEN*

(*Am. 2006-6 g. 12/9/07)

Desired Future Character Statement	Strategy
DFCS1: Howden is to remain a small and compact settlement that is well integrated into the rural and natural surroundings.	S1: Proposed new development areas are defined by the existing Residential zone and the capacity to be serviced by the existing wastewater treatment plant.
DFCS2: A mixture of lot sizes is sought to promote variety and interest.	S2: A mixture of lot sizes consistent with the current character of the village is to be encouraged, allowing a range of house sizes and designs and so retaining most of the existing tree canopy.
DFCS3: Howden is to be developed as	S3: Howden is not identified as a preferred site

predominantly a single home area in landscaped coastal settings.

for medium density development.

(g) MARGATE*

(*Am.2006-6 g.12/9/07)

Desired Future Character Statement	Strategy
DFCS1: Residential development within Margate should be at a lower density and should provide for off-street parking and ample space for landscaping and gardens.	S1: Minimum lot size requirements and site coverage provisions will ensure that the amount of each lot under housing is limited and lower than that of urban areas around Kingston. Open space networks are to be encouraged within and surrounding residential areas.
DFCS2: Future residential development is to be directed towards suitable new areas, rather than encouraging the in-fill of existing areas at higher densities.	S2: Subdivision standards will facilitate the orderly development of specific release areas on the immediate outskirts of existing developed areas while protecting significant native vegetation communities, areas of land dedication to agricultural activities, forest land and riparian areas. There are to be limited opportunities for the further subdivision of existing residential lots.
DFCS3: New residential development should be located so as to complement local neighbourhood character, through more varied forms of housing types and construction materials.	S3: Front setbacks will be in accordance with the prevailing neighbourhood character.
DFCS4: Multi-unit housing will be limited to suitable areas close to the town's commercial area.	S4: Multi-unit housing will be directed to areas within easy walking distance of Margate's main street.
DFCS5: Aged care facilities and housing will be encouraged in suitable locations.	S5: Such facilities and housing are to be within convenient walking distance of Margate main street.

(h) ELECTRONA*

(*Am.2006-6 g.12/9/07)

Desired Future Character Statement	Strategy
DFCS1: To improve the presentation and amenity of the existing Electrona village and surrounds.	S1: New development will replace dilapidated dwellings and outbuildings and provide for improvements in landscaping treatment and vehicle parking arrangements.
DFCS2: To recognize the heritage value of the former Electrona workers' village.	S2: To protect the remaining original buildings, especially those fronting Channel Highway, as evidence of Electrona's cultural heritage.

(i) SNUG*

(*Am.2006-6 g.12/9/07)

Desired Future Character Statement	Strategy
DFCS1: To protect the scale and atmosphere of Snug as a rural township.	S1: New use or development is to be sympathetic to the town's informal and low density character. Subdivision standards will require larger lots than those typically found in Margate or around Kingston. Open space networks are to be encouraged within and surrounding residential areas.

DFCS2: Infill development will be encouraged on existing vacant sites to more efficiently use available land.	S2: Residential development, particularly on allotments backing onto the existing commercial strip, will be encouraged prior to further development west of the Channel Highway.
DFCS3: Retain the desirable characteristics of Snug that relate to the large landscaped front yards, simple housing forms, low-key fencing, the retention of trees and off street parking.	S3: The following strategy is proposed: <ul style="list-style-type: none"> (i) use of site coverage standards that maximise gardens and landscaped areas; (ii) reliance on neighbourhood character to determine front setbacks; and (iii) avoiding unit development as a stand-alone building form (such as two or more stand alone units on the street frontage).
DFCS4: Housing for the aged will be encouraged in suitable locations.	S4: Housing for the aged should be located east of Channel Highway off Beach Road and be designed with sufficient facilities noting the limited scale of service provision in Snug.

(j) KETTERING*

(*Am2006-6 g.12/9/07)

Desired Future Character Statement	Strategy
DFCS1: Kettering is to remain a small scale, low-density village.	S1: Subdivision will be restricted to manage growth pressures and preserve Kettering's low density character. Only limited infill development is to be allowed.
DFCS2: The area within and alongside Ferry Road is to be upgraded to improve pedestrian safety and amenity.	S2: Opportunities are to be taken to provide for foreshore improvements along Little Oyster Cove and roadside improvements along Ferry Road to enhance pedestrian amenity.
DFCS3: Subdivision is to be discouraged above Ferry Road which would impact on water quality in the Bay.	S3: New subdivision above Ferry Road is prohibited, unless either a reticulated wastewater scheme is introduced to the area or the requirements of Schedule 1, Issue 5 are met.

(k) WOODBRIDGE*

(*Am.2006-6 g.12/9/07)

Desired Future Character Statement	Strategy
DFCS1: Woodbridge's heritage and distinct streetscape character is to be protected.	S1: The central area of Woodbridge is to be protected as a significant heritage precinct.
DFCS2: Significant urban development within Woodbridge will not be encouraged due to limited available wastewater services.	S2: No significant additional residential development is to be encouraged.
DFCS3: Woodbridge will continue to be sensitively developed as a low density rural village.	S3: While heritage considerations are important within the central area, newer building forms will be allowed on the fringes and beyond. Apart from aged housing, unit development is not encouraged.

(l) MIDDLETON*

(*Am.2006-6 g.12/9/07)

Desired Future Character Statement	Strategy
DFCS1: Middleton is to remain a quiet, small rural village within a broader landscaped coastal setting.	S1: Only limited areas surrounding the existing Middleton settlement are to be zoned Residential.
DFCS2: Middleton is to be developed as a low-density village with predominantly single homes and modest buildings.	S2: Middleton is not a preferred site for unit development.

(m) BRUNY ISLAND TOWNSHIPS*

(*Am.2006-6 g.12/9/07)

Desired Future Character Statement	Strategy
DFCS1: Alonnah, Dennes Point and Adventure Bay are to remain small scale, residential villages.	S1: Future expansion of existing settlements is not to be encouraged with opportunities limited by lack of water and sewerage infrastructure.
DFCS2: The natural and historic features of the existing Bruny Island settlements are to be protected.	S2: New development is to have regard to local streetscape and the visual amenity from surrounding areas.
DFCS3: Temporary living in caravans and shacks is to be discouraged in favour of more permanent and higher quality accommodation.	S3: Proposals to upgrade and improve the amenity of existing forms of accommodation are to be encouraged.
DFCS4: Alonnah is to develop into a more defined residential village with a more central focus.	S4: New residential development at Alonnah is to be directed towards the central area near the Alonnah jetty.
DFCS5: The architectural styles and materials used on new buildings should suit the low-key rural character of Bruny Island.	S5: Masonry cladding is to be avoided and timber cladding is to be preferred to brick. Colours and styles should complement the surrounding natural environment and single storey buildings are preferred.

(n) SPRING FARM ESTATE*

(*PSA-2012-3 g.26/12/13)

Desired Future Character Statement	Strategy
General Statements for all areas of Spring Farm	
DFCS1: Development reduces the community's reliance on motor vehicles.	S1: To provide convenient walking, cycling and public transport access, and develop local facilities.
DFCS2: Open space is strategically located and designed to maximise interconnectivity and availability to the wider community.	S2: To provide an open space strategy providing for dedicated public open space areas, with a mix of facilities and opportunities for local residents and the wider community with all applications for subdivision.
DFCS3: Large eucalypts enhance amenity and will be retained where practicable.	S3: To retain, where practicable, any remnant tree that does not impose any safety or other hazard for new development.
DFCS4: Development recognises the value of the natural environment.	S4: To avoid, minimise or offset the impact on natural values.
DFCS5: Development maximises energy and water efficiency and alternative energy generation potential.	S5: To facilitate best practice energy and water efficiency, and alternative energy generation potential outcomes in lot and building design.
DFCS6: Development does not increase the peak flow of Whitewater Creek at the downstream boundary of Spring Farm.	S6: To incorporate best practice water sensitive urban design, stormwater retention and re-use in site development.

DFCS7: Spring Farm Road extends to the boundary of 10 Kingston View Drive.	S7: To provide for the principal subdivision access to be from Spring Farm Road.
Specific Statements for Area A of Spring Farm	
DFCS8: A mix of higher density housing development is to occur in this area.	S8: To provide housing diversity and greater density of housing within an easy walking distance of the proposed neighbourhood centre.
DFCS9: The amenity of residential uses is protected from the impact of noise, dust and fumes from the Channel Highway.	S9: To provide for larger lot housing and noise mitigation measures along the frontage to the Channel Highway.
Specific Statements for Area B of Spring Farm	
DFCS10 Maximum housing density is to be encouraged in this Area.	S10: To encourage multi-unit housing in Area B. Single dwelling development is not encouraged.
DFCS11 Road connection is provided to the adjoining property to the south (Folio of the Register volume 153974 folio 1).	S11: To provide for road access to land to the south (Folio of the Register volume 153974 folio 1).
Specific Statements for Area C of Spring Farm	
DFCS12 Development provides for single dwellings on larger lots, sized to reflect the existing development pattern to the northeast.	S12: To generally provide for lot sizes of 600 – 900 sq.m. Multi-unit housing is not encouraged.
Specific Statements for Area D of Spring Farm	
DFCS13 A neighbourhood centre is provided to meet local residents and passing traffic needs.	S13: To encourage use and development needed in this area in the form of small-scale retail shop fronts, convenience and take away shops, newsagents, restaurants, coffee shops, bakeries, offices, childcare centres, gymnasiums, pharmacies and health professionals and the like.
DFCS14 Small-scale business and civic use or development is provided.	S14: To encourage subdivision to be considered concurrently with applications for business and civic use or development.
DFCS15 The neighbourhood centre is as a focus for local community activity.	S15: To provide for arcades, foyers or plazas to be developed with landscaping, streetscaping, roadside parking and paved spaces to enhance the identity of the area as a definable commercial and civic space through best practice urban design.
DFCS16 Shop top housing is encouraged to enhance housing choice and strengthen the commercial core as an area of convenient access to services.	S16: To avoid displacing retail activity that requires ground floor frontage to passing trade, by limiting dwellings at ground level to ancillary to retail or commercial uses or to townhouses or apartments.

5.3 Table Of Use Classes

5.3.1 Planning permit required Use Classes in this zone are:

- Residential
- Utilities
- Recreation
- Environmental Protection
- Business and Civic

5.3.2 Prohibited Use Classes in this zone are:

- Industrial
- Primary Industries

5.4 Standards for Use or Development in the Residential Zone

5.4.1 Standards for Use or Development in the Residential Zone

ISSUE 1: Controls applying to Use or Development that are permissible		PRINCIPLE: To ensure that all permissible use or development is compatible with the objectives of the Residential Zone.	
Acceptable Solution (Deemed to Comply)		Alternative Solution (Requires Justification)	
5.4.1.1 Use or Development in the Residential Use Class: All applications for use or development must meet all relevant Acceptable Solutions.		5.4.1.1: Council may approve an application for use or development not meeting the Acceptable Solution provided all relevant provisions of the Scheme are met.	
5.4.1.2 Use or Development in the Business and Civic Use Class: All applications for use or development must be considered under the Alternative Solution.		5.4.1.2: Council may approve an application for use or development not meeting the Acceptable Solution where it can be demonstrated that: <ul style="list-style-type: none"> (a) the application will not prejudice the zone objectives or applicable desired future character statements; and (b) the application is not inconsistent with the transport strategies defined in Part 2 of the Scheme; and (c) provisions contained in Part 5 of the Scheme are addressed with respect to: <ul style="list-style-type: none"> (i) subdivision; and (ii) provision of utilities; and (iii) building height; and (iv) setbacks; and (d) all provisions contained in Part 6 of the Scheme area addressed with respect to: <ul style="list-style-type: none"> (i) loading and unloading of goods; and (ii) orientation to the road; and (iii) carparking location; and (e) the proposed use or development is needed by the community and is not more appropriately provided 	

	within the Business and Civic Zone; and
	(f) all relevant provisions of the Scheme are met.
5.4.1.3 Use or development in the Environmental Protection Use Classes: Council must approve an application for use or development where: <ul style="list-style-type: none"> (a) no impact on environmental values identified on the site occurs; and (b) all relevant Acceptable Solutions within the Scheme are met. 	5.4.1.3: Council may approve an application for use or development not meeting the Acceptable Solution provided: <ul style="list-style-type: none"> (a) where environmental values are impacted, a strategy to minimise these impacts is provided by a suitably qualified person; and (b) all relevant provisions of the Scheme are met.
5.4.1.4 Use or development in the Recreation Use Class: Council must approve an application for use or development where: <ul style="list-style-type: none"> (a) use or development is directly associated with the management or utilisation of existing recreational facilities such as golf courses, bowls clubs, sports fields and ovals and the like; and (b) the proposed use or development is an integral element of an overall plan for the entire site; and (c) all relevant Acceptable Solutions within the Scheme are met. 	5.4.1.4: Council may approve an application for use or development not meeting the Acceptable Solution provided: <ul style="list-style-type: none"> (a) the application will not result in environmental nuisance; and (b) existing and emerging community needs will be met by the proposed use or development; and (c) all relevant provisions of the Scheme are met.
5.4.1.5 Use or development in the Utilities Use Class: Council must approve an application for use or development where: <ul style="list-style-type: none"> (a) the use or development is a necessary and integral element of an existing use or development; and (b) all relevant Acceptable Solutions within the Scheme are met. 	5.4.1.5: Council may approve an application for use or development not meeting the Acceptable Solution provided: <ul style="list-style-type: none"> (a) the application will not prejudice the zone objectives or applicable desired future character statements and strategies; and (b) no environmental nuisance will result; and (c) all relevant provisions of the Scheme are met.

ISSUE 2:

Subdivision/Density and Utility Provision*

PRINCIPLE:

To provide a range and mix of lot sizes to suit a variety of dwelling and household types, with areas and dimensions that meet user requirements and apply energy conservation principles. Lots are also to meet minimum infrastructure requirements. Multi-unit housing is to be developed sympathetically within its site constraints allowing orderly development consistent with the zone objectives, desired future character statements and strategies.*

Acceptable Solution (Deemed to Comply)

Alternative Solution (Requires Justification)

5.4.2.1 Subdivision/ or Multi-Unit Housing Density*:

Council must approve a subdivision where the following minimum standards are met:

- (a) Minimum lot size is to be in accordance with Table 5.0; and
- (b) Minimum road frontage of 6m; and
- (c) Maximum slope gradient is 1:5 or 20% averaged over the surface area of the lot; and
- (d) Each lot is capable of containing a rectangle measuring 10m x 15m exclusive of setbacks and easements**

except in the following circumstances:

1. repealed**
2. In the case of multi-unit housing:
 - (a) the parent title has an area of no less than 800 sq.m., frontage to a road of a width no less than 6m, and the capacity to contain a rectangle measuring a width of no less than 20m for a length of no less than 35m; and*
 - (b) the average density of development (after subdivision) is no greater than 1 dwelling/300 sq.m of site area; and
 - (c) repealed*
 - (d) all relevant Acceptable Solutions within the Scheme are met, and
 - (e) the site is within the area identified in Schedule 15 and **
 - (f) the site is not within Area C of Spring Farm ***

*Am.B1 g.29/6/05 **Am.2006-8 g.12/9/07)
***PSA-2012-3

5.4.2.1: Council may approve a subdivision not meeting the Acceptable Solutions, or in the case of multi-unit housing a density exceeding that specified in the Acceptable Solution where:**

- (a) the lot(s) have an area and dimensions suitable for the siting and construction of a dwelling and ancillary outbuildings in addition to the provision of outdoor space; and
- (b) convenient vehicle access and parking has been provided; and
- (c) lot layouts take into account the slope of the land and the desirability of minimising earthworks or retaining walls and cut and fill excavations; and
- (d) each lot has a right of way or frontage to a road measuring a width of no less than 4m; and
- (e) the subdivision facilitates the proposed use and or development of that land; and
- (f) in the case of multi-unit housing a building envelope is incorporated into the application to contain all proposed structures in accordance with the requirements of (a), (b), (c) and (e*) above.
- (g) where the development is consistent with or enhances the neighbourhood character.**

**Am.2006-8 g.12/9/07)

5.4.2.2 Boundary Adjustments: Council must approve minor boundary adjustments for the following purposes:

- (a) minor boundary adjustments to existing titles provided no additional lots are created;
 - (b) the provision of public services and utilities;
 - (c) to provide additional public access or open space.
-

5.4.2.2: None.

Table 5.0**

LOCATION	MIN LOT SIZE (sq.m)
Kingston, Huntingfield, Spring Farm	600**
Kingston Beach	600
Blackmans Bay	600*
Taroona, Margate	750
Snug, Howden	1000
Kettering, Woodbridge, Middleton, Dennes Point, Alonnah, Adventure Bay	1500
<p>*except where the slope exceeds 20% averaged over the surface area of the lot and then the minimum lot size is 750 sq.m. ***except in the following areas of Spring Farm, where the minimum lot size: ***</p> <ul style="list-style-type: none"> • in Area A, is 400 sq.m, • Area B, there is none specified; and • In Area D, is 270 sq m. <p>**Am.2006-8 g. 12/9/07) ***PSA-2012-3 g. 26/12/13</p>	

5.4.2.3 Solar Access: All new lots are to be orientated and dimensioned to facilitate the siting of houses with maximum solar access by ensuring that houses can be built on the lot(s) in which the living areas will receive not less than 4 hours of sunshine between 9am and 3pm on June 21.

5.4.2.3: Council may approve a lot(s) where they are orientated and dimensioned to facilitate the siting of dwellings to take advantage of microclimatic benefits, and have dimensions to allow adequate on site solar access, taking into account likely dwelling size and the relationship of each lot to the street.

5.4.2.4 Rear Garden Area: Any existing dwellings to be retained within proposed subdivisions or on lots proposed to contain additional dwellings must have a minimum rear garden area defined by a 10m by 15m right angled triangle which:

- (a) must be wholly located behind the front facade of the dwelling; and
- (b) must not encroach on habitable buildings on the lot or communal lane reserves,

5.4.2.4: Council may in assessing a proposal for subdivision where existing dwellings are proposed to be retained within the proposed subdivisions or on lots proposed to contain additional dwellings require a rear garden area of sufficient size to protect residential amenity and the character of the residence.

but may incorporate outbuildings, separate garages, driveways and turning areas.

5.4.2.5 Provision of Utilities: All applications for use or development must meet the Acceptable Solutions contained in Issue 5 of Schedule 1 of the Scheme with respect to:

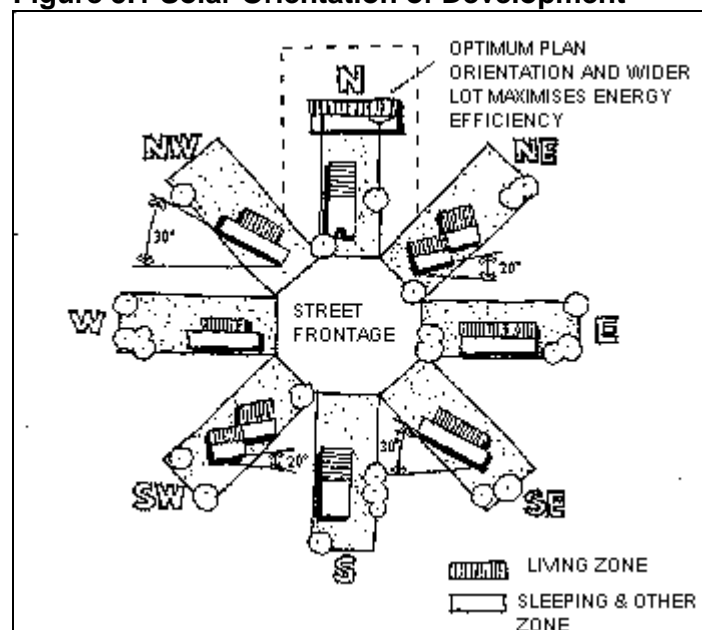
- (a) effluent disposal; and
- (b) stormwater discharge; and
- (c) water reticulation.

5.4.2.5: Council may approve an application for use or development not meeting the Acceptable Solution with respect to effluent disposal if the Alternative Solution in Issue 5 of Schedule 1 of the Scheme is met.

For stormwater discharge and water reticulation there is no Alternative Solution and the Acceptable Solution must be met.

ISSUE 4: Energy Efficiency	PRINCIPLE: To facilitate energy efficient housing and reduce energy wastage.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
<p>5.4.4.1 Energy Efficiency: A new dwelling must be approved where all of the following are met:</p> <ul style="list-style-type: none"> (a) siting is within the preferred orientation range shown in Figure 5.1; and (b) a north facing room suitable as a living area is provided. 	<p>5.4.4.1: Council may approve an application for a new dwelling not meeting the Acceptable Solution where the following matters have been satisfactorily addressed:</p> <ul style="list-style-type: none"> (a) windows are located, sized and shaded to facilitate good thermal mass performance; and (b) building internal layouts are designed to minimise energy consumed for heating and cooling; and (c) buildings have an area of roof with appropriate orientation and pitch suitable for the installation of solar collectors and photovoltaic cells.

Figure 5.1 Solar Orientation of Development



ISSUE 5 Building Treatment	PRINCIPLE: To ensure that building appearance from public roads and adjoining sites is visually compatible with surrounding development. Tree retention is also to be given greater priority.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
<p>5.4.5.1 Façade Treatment, Building Materials and Site Treatment: New development is to meet the following requirements:</p> <ul style="list-style-type: none"> (a) new buildings are to have no more than 15m of any frontage to a public street that is not articulated with windows, balconies, decks, or wall offsets; and (b) no unpainted metal products are to be used for wall or roof cladding¹; and (c) every tree with a height greater than 10m proposed for removal is to be replaced somewhere on the lot by a tree of a species listed in "Tree Planting, Planting Advice for Suburban Gardens in Kingborough." <p>¹ Also applies to other structures eg water tanks, sheds, carports, pergolas etc.</p>	<p>5.4.5.1: Council may approve development that cannot meet the Acceptable Solution if it can be shown that:</p> <ul style="list-style-type: none"> (a) buildings are designed to enhance the streetscape through facade articulation, detailing and window and door proportions; and (b) the building responds sympathetically with the surrounding neighbourhood character; and (c) alternative landscaping strategies are considered appropriate with regard to lot dimensions and the dwelling location upon the lot.
<p>5.4.5.2*Maximum Building Height: Buildings are:</p> <ul style="list-style-type: none"> (i) not to exceed the building height specified in Table 5.1; and (ii) not be greater than 1 storey above the number of storeys of immediately adjacent buildings.* <p>(*Am.2006-8 g. 12/9/07)</p>	<p>5.4.5.2: Council may vary the building height beyond the limits specified in the Acceptable Solution where it is satisfied that:</p> <ul style="list-style-type: none"> (a) existing view corridors and solar access enjoyed by neighbours are protected as far as is practicable; and (b) privacy impacts can be minimised; and (c) neither the neighbourhood character nor environmental values will be adversely impacted; and (d) no practical alternative to a height variation is demonstrated to exist; and (e) in the case of second storey additions above existing dwellings the extension presents to the road as an integrated component of the total dwelling with respect to colour and material treatment and architectural approach.

Table 5.1 Building Height

Situation		Standards
(a)	All other situations other than where specified in (b).	8 metres
(b)	In the following circumstances:	5 metres
	(i) where the lot has direct frontage to high or low water mark; or	
	(ii) where the lot abuts a conservation area or public reserve on the coast or a Council controlled reserve; or	
	(iii) where the lot fronts a road which, had it not existed, would have resulted in either (i) or (ii) being met.	

Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
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5.4.5.3 Setbacks: The minimum standards specified in Table 5.2 apply.

5.4.5.3:* Council may approve an application for development not meeting the Acceptable Solution where:

- (a) it can be demonstrated that no unreasonable impact on neighbour amenity will occur; and
- (b) regard has been given to the neighbourhood character and any existing patterns of development; and
- (c) in the case of front setback variations the function of the road, safety and the likely amenity impacts for the proposed development has been adequately addressed; and
- (d) repealed*

(*Am.2006-8 g.12/9/07)

Table 5.2 Setbacks

Setback Type	Standards
Front	As per Table 5.3
Side and Rear	As per Table 5.4 column A except where it is proposed to build on the boundary in which case the standards specified in column B apply provided: <ul style="list-style-type: none"> (i) the length of the new boundary wall is no more than 30% of the length of each of the abutting property boundaries and the maximum wall height is no greater than 3m; or (ii) the length of the new boundary walls match the existing boundary walls where the adjoining development is situated on the boundary; and (iii) the wall has no windows.

Table 5.3: Road Type and Front Setback

Street Type	Minimum frontage setback (m)	Minimum side setback to corner or side street (m) ¹
Category 6 Roads As per Schedule 3	5.0	3.0
Category 4-5 Roads As per Schedule 3	6.0	4.0
Category 1-3 Roads As per Schedule 3	6.0	4.0

¹ Signifies a corner site with at least 2 roads abutting the lot.

Table 5.4: Minimum Setbacks to Boundaries¹

Wall Height (m)	Column A ²	Column B ³
3 or less	1	0
4	1.3	0
5	1.6	0
6	1.9	0
6 or greater	1.9m + .3m for each m of wall height	0

¹ Encroachments such as fascias, gutters, downpipes, flues, pipes, domestic fuel tanks, cooling or heating appliances etc. may encroach into the side setback areas required by Clause 5.4.5.3 if the distance to the boundary is not reduced to less than 1m.

² Side setback standards are to be read in conjunction with clause 5.4.6.1 of the Scheme where separate dwellings with living areas are to be no less than 8.5m apart unless assessed under Alternative Solution.

³ Only applies if adjoining development is on the boundary.

Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
<p>5.4.5.4* Site Coverage: The maximum site coverage for the following locations is as follows::</p> <p>Blackmans Bay, Kingston, Kingston Beach¹ and Huntingfield 40% Taroona, Howden, Margate Snug 25% Kettering, Woodbridge, Middleton and Bruny Island 20%</p> <p>¹Except for 52 Roslyn Avenue (CT102956/1) where the maximum allowable is 50%.**</p>	<p>5.4.5.4:*Council may approve an application for development not meeting the Acceptable Solution where:</p> <p>(a) the proposed site coverage is similar to that which is predominantly found nearby in the same road; and (b) no significant loss of amenity or adverse impact on neighbourhood character would likely result (such as significant loss of green space/tree cover or the like); and (c) it can be shown that stormwater drainage impacts can be adequately managed; and (d) provided the site coverage does not exceed a maximum of 45% for Blackmans Bay, Kingston, Kingston Beach and Huntingfield, 30% for Taroona, Margate, Howden and Snug and 25% for Kettering, Woodbridge, Middleton and Bruny Island.</p>
*Am.2006-8 g.12/9/07)	*Am.2006-8 g.12/9/07)
** PSA-2014-1 g.13/3/15)	

5.4.5.5 Garage and carport location:

- (i) garages or carports of a width of 3m or less located forward of the building, facing the road, must be approved if:
 - (a) constructed of the same material as the dwelling (roof, façade); and
 - (b) physically attached/incorporated into the dwelling structure; and
 - (c) there is a pre-existing pattern upon lots on either side of the subject land for garages/carports to be built forward of the building line; or
- (ii) for garages or carports of a width of 6m or greater, or with a width of 50% of the dwelling façade, whichever is lesser, facing the road, such a structure is to be built on or behind the building line of the dwelling.*

5.4.5.5: Council may approve a garage or carport that cannot meet the Acceptable Solution provided it is satisfied that the proposed structures can be sited and designed so they do not dominate the appearance of the dwelling from the road.

*Am.31 g. 17/2/05

5.4.5.6 Front Fences/walls: Front fences and walls will be no higher than 1.5m unless one of the following standards is met:

- (a) the fence has openings which make it not less than 50% transparent; or
- (b) the adjacent street carries in excess of 6000 vehicles per day (in which case (a) does not apply); and
- (c) sight distances are met where the property is a corner site where two streets intersect

and the maximum height of the wall does not exceed 1.8m.

5.4.5.6: Council may approve front fences/walls not meeting the Acceptable Solution provided the front fence/walls are of a height and design that takes into account:

- (a) streetscape; and
- (b) surveillance and safety; and
- (c) the security of children, pets and property; and
- (d) use of front garden space; and
- (e) noise attenuation; and
- (f) sight distances for safe traffic movement.

ISSUE 6: Building Siting and Design	PRINCIPLE: To enable flexibility in the siting of buildings, protect neighbour amenity, enhance passive surveillance, maintain residential character and visual bulk, and the useability of private open space.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
<p>5.4.6.1* Privacy and Passive Surveillance¹: Notwithstanding cl 5.4.5.3 with respect to side setbacks the following standards are to be met:</p> <ul style="list-style-type: none"> (a) no less than 8.5m separation between new windows, balconies or decks with a direct outlook to the habitable room windows, balconies or decks of an existing adjacent building; and* (b) no less than 2.5m separation of habitable rooms from driveways and parking areas used by other dwellings is to be provided unless: <ul style="list-style-type: none"> (i) those windows are at least 1.4m above the carriageway at their lowest point; and (ii) the ground floor level of the dwelling is at least 1m above the carriageway; and (c) no overshadowing of any living room windows (eg dining, lounge, rumpus), balconies or decks of adjoining residences will occur.* 	<p>5.4.6.1:*Council may approve an application for use or development not meeting the Acceptable Solutions where:</p> <ul style="list-style-type: none"> (a) direct overlooking of main living areas and private open spaces of existing dwellings is minimised by sensitive building layout, location and design of windows and balconies and the use of screening devices and landscaping; (b) the site layout is to separate habitable room windows from driveways and parking areas used by other dwellings through the use of noise barriers. (c) where overshadowing of any main living areas, balconies or decks of adjoining residences will occur the impact will not result in overshadowing directly leading to the living areas of any adjoining residence receiving less than 3 hours of sunlight between 9am and 3pm on June 21.*
(*Am.2006-8 g.12/9/07)	(*Am.2006-8 g.12/9/07)
<p>5.4.6.2 Window dimension and location: To promote passive surveillance at least one window of a dimension not less than 2 sq.m and below 1.7m in height at top sill is to be located along a wall facing areas of public open space, reserves or the like.¹</p> <p>¹ Only applies if the lot has a common frontage with a reserve, playing field or the like.</p>	<p>5.4.6.2: None.</p>

5.4.6.3 Min. area of private open space¹:

The following minimum standards apply:

1 bedroom dwelling	50 sq.m
2 bedroom dwelling	70 sq.m
3 or more bedroom Dwelling	90 sq.m

provided:

- (a) the minimum dimension of any part is 2.5m, and
- (b) one part of the private open space comprises an area of at least 40 sq.m with a minimum dimension of 4m and no steeper than 1 in 6 slope.

¹ Includes easements and balconies.

5.4.6.3: Private open space areas are to be of dimensions suitable for the projected requirements of the dwelling occupants and to accommodate some outdoor recreational needs as well as providing space for service functions.

Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
<p>5.4.6.4* Orientation and location of private open space: The following minimum standards apply:</p> <ul style="list-style-type: none">(a) must be protected from overshadowing from any adjacent development so that a minimum of 50% of the space receives at least 2 hours sunlight on 21 June; and(b) no less than 40 sq.m of private open space is to abut the dwelling it is to serve and be directly accessible from a habitable room other than a bedroom, at a level difference not exceeding 2.5m.*	<p>5.4.6.4: Council may approve an application for use or development not meeting the Acceptable Solution where:</p> <ul style="list-style-type: none">(a) private open space is orientated to maximise access to sunlight and to minimise the effect of overshadowing from adjacent buildings; and(b) private open space is capable of serving as an extension of the dwelling for relaxation, dining, entertainment, recreation and children's play, and is accessible from a main living area of the dwelling.
(*Am.2006-8 g.12/9/07)	
<p>5.4.6.5 Enclosed storage: Where more than one dwelling is proposed, a space of 2 cubic metres per dwelling shall be provided for enclosed storage. This space is to be accessible from outside the dwelling but may form part of the carport or garage.</p>	<p>5.4.6.5: Adequate storage space accessible from the dwelling shall be provided.</p>
<p>5.4.6.6: Clothes drying facilities: Space is to be provided for clothes drying facilities which are visually screened from public streets.</p>	<p>5.4.6.6: Dwellings are provided with adequate external clothes drying facilities.</p>

<p>5.4.6.7 Other facilities: The following minimum standards apply:</p> <ul style="list-style-type: none"> (a) Mail box location - Where more than one dwelling is proposed on site a mail box structure is to be located close to the major pedestrian entrance to the site. (b) Wheelie bins - a central collection point for wheelie bins in a position convenient for trucks to load and unload is required 	<p>5.4.6.7: Council may approve use or development not meeting the Acceptable Solution where:</p> <ul style="list-style-type: none"> (a) Mail boxes are to be located for convenient access by residents and deliverers. (b) None.
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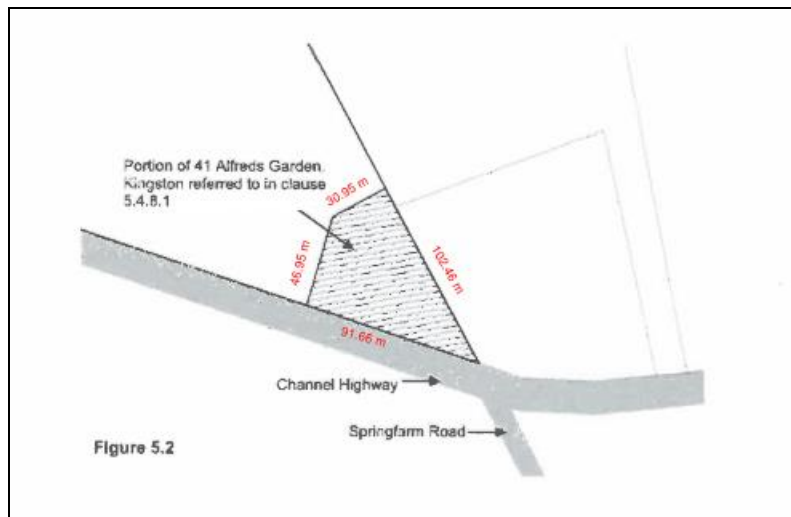
ISSUE 7: Home Occupation	PRINCIPLE: To ensure that the use of dwellings for home based business protect reasonable neighbour amenity and protect residential character.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
5.4.7.1 Employment: No person not a resident of the dwelling is to be employed on the site full time.	5.4.7.1: None.
5.4.7.1 Max. area of business: The maximum floor area used for business purposes must not exceed 50 sq.m	5.4.7.2: None.
5.4.7.3 Visual Amenity: Goods and supplies used in the home occupation must not be stored outside the dwelling.	5.4.7.3: None.
5.4.7.4 Signage: Maximum of one identification sign not exceeding 0.5 sq.m on the site.	5.4.7.4: None.

ISSUE 8: (Kingston Green), Channel Highway, Kingston	PRINCIPLE: Kingston Green is a valuable land bank for future residential and associated use or development and is to be developed as an integrated subdivision where attention to energy efficiency, urban consolidation principles and urban design are given high priority
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Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
<p>5.4.8.1 Development of Kingston Green: All applications for use or development are to be in accordance with the document titled "Kingston Green Document Masterplan" prepared by Annand Alcock Urban Design (November 2001) and endorsed by Council in January 2002.</p>	<p>5.4.8.1: Council may approve an application for use or development not meeting the Acceptable Solution where:</p> <ul style="list-style-type: none"> (a) it is demonstrated that residential densities maximise the efficient and orderly use of the site and the application meets all relevant standards of the Scheme, or (b) the application is for a Business and Civic or Utilities use or development (if for one or more of the following: a service station; car wash facility; take away food shop; restaurant; and/or road) with direct access onto Channel Highway on land identified in Figure 5.2 and the application meets all relevant standards of the Scheme*.

(*PSA-2014-5 g.29/5/15)

Figure 5.2 *



(*PSA-2014-5 g. 29/5/15)

5.5 Schedules to Apply in the Residential Zone

5.5.1 The following schedules must be adhered to with respect to use or development in the Residential Zone:

- Schedule 1 - Environmental Management
- Schedule 2 - Heritage
- Schedule 3 - Road Asset and Access
- Schedule 4 - Car Parking and Bicycles
- Schedule 5 - Waterways, Wetlands and the Coastal Area
- Schedule 6 - Attenuation Distances
- Schedule 7 - Bushfire Prone Areas
- Schedule 8 - Signs
- Schedule 9 - Environmental Weeds
- Schedule 10 - Protected Vegetation
- Schedule 11 - Potentially Contaminated Lands
- Schedule 12 - Telecommunications Infrastructure
- Schedule 14 – Area Desired Future Character Statement Schedule*
- Schedule 15 – Multi-Unit Housing Schedule**.

(*Am.2006-5 g.12/9/07)

(**Am.2006-11 g.12/9/07)

6.0 Business and Civic Zone

6.1 Objectives of the Business and Civic Zone

- 6.1.1 The Business and Civic Zone incorporates areas in Kingston, Blackmans Bay, Kingston Beach, Tarooma, Margate, Snug, Kettering, Woodbridge and Alonnah within which a range of retail, business and other commercial uses occur as shown on the Scheme plans.
- 6.1.2 The objectives for the Business and Civic Zone are to:
- provide for a range of business and civic uses in concentrated areas;
 - allow a range of other uses in ways and locations that do not affect the viability and operation of existing business and civic uses;
 - provide a focus for commercial, tourism and public investment;
 - allow mixed use development, including residential above ground floor business and civic uses, to encourage and revitalize commercial precincts and encourage new investment; and* (*Am.A32 g.29/6/05
 - allow other use or development that is compatible with these values.

6.2 Desired Future Character Statements and Strategies

- 6.2.1 The values associated with this zone and the accompanying strategies are described below:

(a) KINGSTON*

(*Am.2006-7 g.12/9/07)

Desired Future Character Statement	Strategy
DFCS1: The Kingston central area is to be the primary focus for administrative, commercial, financial, civic, entertainment functions within the municipality.	S1: Major expansion of commercial activities, especially retail development, will be encouraged within the Kingston central area in preference to all other parts of the municipality.
DFCS2: Pedestrian safety and amenity is to be enhanced through improved streetscaping and urban design that links complementary retail and service activities.	S2: Local precincts should be encouraged that effectively cluster together complementary activities. Efficient pedestrian pathways are to be incorporated within the design of such precincts.
DFCS3: The redevelopment of the Kingston High School site should meet the needs for a wide range of local community requirements.	S3: A master plan is to be prepared for the (former) Kingston High School site that constitutes the primary guide for its future use and development.
DFCS4: The visual appearance and amenity of the Kingston central area is to be enhanced so that visitors will use the facilities and spend time in the area.	S4: Improved urban design and streetscapes are to incorporate suitable materials, revegetation, civic art, a sensitive use of signs and disabled access facilities.

(b) KINGSTON TOWN SHOPPING CENTRE

Desired Future Character Statement	Strategy
DFCS: Kingston Town will be a supermarket based centre of secondary importance, complimentary to and not in direct competition with Central Kingston.	S: Any additional expansion in gross floor area for retail purposes must demonstrate that: <ul style="list-style-type: none"> (a) there is community benefit; and (b) will not jeopardise or undermine Council investment in Central Kingston including road infrastructure; and (c) can be accessed by an equivalent level of public transport as Central Kingston.

(c) MERTONVALE CIRCUIT, CHANNEL HIGHWAY, KINGSTON

Desired Future Character Statement	Strategy
DFCS: To enable continued use and development for warehouse and similar activities that require considerable land for storage and showrooms.	S: Warehouse and similar activities that require considerable land for storage and showrooms are to be encouraged but major leisure development or food sales outlets are to be avoided.

(d) KINGSTON WEST (JUNCTION OF SUMMERLEAS ROAD AND CHANNEL HIGHWAY, KINGSTON)

Desired Future Character Statement	Strategy
DFCS: To provide a range of convenience food retailing and services such as that provided by service stations that rely on locations along highways.	S: Convenience retailing activities necessary for a highway frontage will be encouraged except where proposed activities are frequently co-located with supermarkets in centralised locations.

(e) KINGSTON BEACH*

(*Am.2006-7 g.12/9/07)

Desired Future Character Statement	Strategy
DFCS1: The commercial precinct is to focus on providing convenience retail services to the local residents and recreational users of Kingston Beach.	S1: Appropriate strategies include the need to: <ul style="list-style-type: none"> (a) promote retailing services of a local nature; (b) encourage commercial activities catering for recreational users; (c) facilitate more orderly parking and circulation; (d) encourage outdoor dining on the street.
DFCS2: Uses that encourage people to walk the streets, interact with others and identify with Kingston Beach as a place to visit and shop and relax are to be encouraged.	S2: Orderly redevelopment that provides a progressive change in the types of uses from service stations and other car dependent operations to restaurants, cafes, delicatessens, newsagents, bookshops, and specialists such as hairdressers, doctors and dentists is to be encouraged.
DFCS3: New development or extensions to existing buildings is to be consistent with the height and pattern of existing buildings.	S3: The maximum height of new buildings should provide for a transition in scale with existing buildings. New buildings are to only be one or two storeys, but three storeys will be considered on the corner sites at the intersection of Beach Road and Osborne Esplanade.

DFCS4: Key site redevelopment should occur that enhances the qualities of the local streetscape.	S4: Site development plans should be prepared for 'key sites' demonstrating that the proposed development meets or enhances the local neighbourhood character. These key sites, by virtue of their location, size and potential have the greatest capacity to contribute to the streetscape pattern, encourage other adjoining site redevelopment and provide services and facilities needed by an urban village.
DFCS5: Mixed use development, such as shop-top housing, is encouraged so as to increase the number of people in the business precinct and the demand for local services.	S5: Larger sites, plus sites on street corners, are well suited for shop-top housing and mixed use development. This form of development is not to be carried out at the expense of a coherent pattern of buildings where sensible and moderate transitions in scale occur in terms of height, plot ratio and setbacks.

(f) OPAL DRIVE COMMERCIAL PRECINCT*

(*Am.2006-7 g.12/9/07)

Desired Future Character Statement	Strategy
DFCS1: The Blackmans Bay Shopping Centre is to retain its current role as the core commercial service centre of Blackmans Bay.	S1: Activities are to be encouraged that will allow a more diversified and vibrant centre consistent with the needs and requirements of a sizeable local population.
DFCS2: Urban design opportunities should be pursued to upgrade and better integrate the Blackmans Bay Shopping Centre with adjoining residential development, while still providing high quality local services that promote the suburb as a desirable place to live.	S2: The redevelopment of the Blackmans Bay Shopping Centre is to be encouraged. Such redevelopment should complement the development of surrounding properties and utilize opportunities to provide for a mix of retail, office space and medium density housing, as well as adopting tasteful, contemporary and innovative urban design practices.
DFCS3: Key site redevelopment should occur that enhances the qualities of the local streetscape.	S3: Site development plans should be prepared for 'key sites' demonstrating that the proposed development meets or enhances the local neighbourhood character.

(g) TAROONA*

(*Am.2006-7 g.12/9/07)

Desired Future Character Statement	Strategy
DFCS1: The existing shopping centre is a key site that provides for the local convenience needs of Taroona residents.	S1: The progressive redevelopment of the shopping centre is to be encouraged and should take place in accordance with an overall site development plan. More diversified and vibrant business activities are to be encouraged, together with facilities for younger people.
DFCS2: New development or extensions to existing buildings is to be limited in scale to respect the amenity of nearby residents.	S2: Commercial buildings are not to exceed three storeys. A limit of two storeys is preferred in most situations.

DFCS3: The former Taroona hotel site at 178 Channel Highway is to be developed for commercial and other compatible uses of a scale that is sympathetic to the site and surrounding uses.	S3: Future development on this site is to provide for a mixture of uses that are mutually compatible; to ensure that neighbour amenity is protected from overlooking and overshadowing; and to incorporate a comprehensive landscaping, parking and signage strategy that contributes to neighbourhood character and streetscape.
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(h) MARGATE*

(*Am2006-7 g.12/9/07)

Desired Future Character Statement	Strategy
DFCS1: Margate's commercial area and main street should be upgraded to better meet the needs of its own residents and visitors.	S1: Future development is to facilitate the commercial expansion of Margate so that improved services and retail functions are provided. Greater attention is to be given to improved signage and landscaping, the need for off-street car parking, roadside furniture and improved traffic management.
DFCS2: The commercial area and main street of Margate should be a vibrant area, with quality buildings creating a coherent streetscape and a place where people can find activities and spaces to meet and socialize.	S2: Public recreational space and facilities for all age groups should be identified and provided in or convenient to the main street and new or upgraded buildings should utilise materials, colours, signage and finishes to enhance the streetscape.
DFCS3: Key site redevelopment should occur that enhances the qualities of the local streetscape.	S3: Site development plans should be prepared for 'key sites' demonstrating that the proposed development meets or enhances the local neighbourhood character. This development can be of more innovative forms and materials but needs to contribute to the streetscape pattern, encourage other adjoining site redevelopment and provide services and facilities needed in main street.

(i) SNUG*

(*Am.2006-7 g.12/9/07)

Desired Future Character Statement	Strategy
DFCS1: Snug's strategic position as a stopover for tourists venturing further south should continue by providing limited retail and service facilities.	S1: The business precinct is to retain convenience retailing and service facilities and any limited expansion that complements or enhances these facilities.
DFCS2: Streetscape improvements will enhance the amenity of this business precinct giving it a more distinct identity.	S2: A progressive improvement in the presentation of paving, roadside furniture, signage and landscaping is to be encouraged.

(j) KETTERING*

(*Am2006-7 g.12/9/07)

Desired Future Character Statement	Strategy
DFCS1: Kettering is to contain a central commercial area providing a central focus and convenient services for local residents and visitors.	S1: Future commercial development is to be located within this zone and is to be supported by appropriate access, parking and pedestrian infrastructure.
DFCS2: Kettering is to provide a range of commercial leisure services and facilities consistent with its strategic location as a significant waterway recreational area and tourism gateway to Bruny Island.	S2: Commercial facilities that support such activities as boat hire, sailing, diving, fishing and other recreational or tourist related activities are to be promoted.
DFCS3: Water quality within Little Oyster Cove is not to be adversely affected by future commercial development.	S3: A suitable wastewater system is to be designed and constructed prior to any significant commercial development occurring in Kettering.
DFCS4: Kettering is to remain a diverse fishing and recreational boating port that provides facilities for the local fishing industry, marine farm operators, local residents and visitors.	S4: Use and development is to be encouraged that supports improved facilities for tourists, the local fishing industry and other users of the waterways. This includes improved foreshore and marina facilities, tourist information and retail services. Such use and development is not to adversely impact on local residential amenity.

(k) WOODBRIDGE*

(*Am.2006-7 g.12/9/07)

Desired Future Character Statement	Strategy
DFCS1: Woodbridge's commercial precinct should retain both its significant local heritage values and be able to function as a local retail, community and convenience service centre.	S1: Protect the heritage value of the local streetscape and ensure that any new development is consistent with this character, while still meeting the local and visitor service needs.
DFCS2: The further development of tourism and cottage craft retail activities will assist in defining the character of Woodbridge.	S2: Tourism related use and development that complements the existing streetscape character of Woodbridge is to be encouraged.
DFCS3: New development should seek to enhance the existing village character and occur in a sensitive low key manner.	S3: Development should be characterised by transitions in scale, an absence of large bulky buildings, suitable materials and simple low key signage.

(l) ALONNAH

Desired Future Character Statement	Strategy
DFCS1: Alonnah has a restricted retail role.	S1: Expansion of commercial activities will not be encouraged.
DFCS2: A more integrated civic/commercial precinct will be provided.	S2: Promote better pedestrian linkages across the precinct, address street details such as footpaths, lighting and drainage.

(m) AUSTRALIAN ANTARCTIC DIVISION HEADQUARTERS PRECINCT **

(*Am.A1 g. 3/3/05 - deleted) (**PSA-2014-3 g. 11/11/14)

Desired Future Character Statement	Strategy
DFCS1: The precinct has been established for the Australian Antarctic Division headquarters and science/research and complementary purposes. Without fettering the continued use of land for this purpose, the balance land is appropriate for use and development for a mix of large format bulky goods sales, that requires considerable land for showrooms, storage and offices, and does not undermine the Desired Future Character Statements and Strategies for the Business and Civic Zone.	S1: Further development of the precinct will involve the following: <ul style="list-style-type: none">(a) formalisation of access serving the precinct designed for safe traffic movements and consideration of the junction of the Channel Highway and Spring Farm Road;(b) construction of new buildings reflecting clean modern design, complementary to the design of the Australian Antarctic Division Headquarters complex;(c) provision of appropriate carparking areas, which include landscaping treatment consistent with achieving a high quality streetscape;(d) drainage solutions for the discharge of ponded runoff with the lower land into Coffee Creek.

(n) MARGATE MARINA PARK PRECINCT (40 and 22 Marina Drive, Margate)*

(*Am.A2 g. 19/5/05)

Desired Future Character Statement	Strategy
DFCS1: Land use: <ul style="list-style-type: none">(a) Margate Marina will become a mixed use area allowing for commercial, scientific and residential uses supported by the redevelopment of the marina complex.(b) Residential or commercial uses should demonstrate a synergy with the marina complex or with the scientific, research or educational activities occurring in the precinct.	S1: Land use: <ul style="list-style-type: none">(a) Redevelopment of the water areas, reclaimed lands and foreshore areas of the site will include replacement of the existing marina to provide all weather protection, more berths and greater amenity.(b) Opportunities for scientific and maritime research facilities are to be promoted on the western part of the site.(c) In accordance with the land use strategy and staging outlined in Part 5 of the <i>Margate Marina Master Plan</i>, complementary uses and developments including residences, a hotel/conference center, take away food shops, restaurants, and other retailed and commercial premises may be considered.

<p>DFCS2: Siting and design:</p> <p>(a) Residential use or development will be designed and located within the mixed use precinct so that residents' risk of exposure to potential hazards and nuisances is minimized and the environmental values of the coast are respected.</p>	<p>S2: Siting and design:</p> <p>(a) Residential use or development will be located within the mixed use precinct generally as shown in Figure 5 of the <i>Margate Marina Park Planning Report</i>, dated May 2004.</p> <p>(b) All use or development must satisfy the standards of Schedule 5 (Waterways, Wetlands and Coastal Areas), including preparation of an environmental impact statement for marina construction.</p> <p>(c) Development for a sensitive use is subject to compliance with Schedule 6 (Attenuation Distances).</p> <p>(d) All habitable buildings must satisfy the standards of Schedule 7 (Bushfire Prone Areas).</p>
<p>DFCS3: Roadworks: An upgraded road junction at Channel Highway and Marina Drive will cater for projected traffic demand generated by use and development of land serviced by Marina Drive.</p>	<p>S3: Roadworks:</p> <p>(a) Require an auxiliary (left hand passing) lane (type B) for northbound traffic on the Channel Highway and an auxiliary left turn deceleration lane (type C) for southbound traffic turning into Marina Drive.</p> <p>(b) Require upgrade of Marina Drive to improve access for large vehicles and improve presentation at the Channel Highway junction.</p> <p>(c) All vehicular access to the site is to be solely from Marina Drive, with no direct access from the Channel Highway.</p>
<p>DFCS4: Waste water: Appropriate waste water services will be funded on an equitable basis in order to improve water quality in North West Bay.</p>	<p>S4: Waste water:</p> <p>(a) Developers and benefiting owners will be required to make significant financial contributions towards providing a reticulated sewerage scheme taking waste water towards Dru Point.</p> <p>(b) Options for tertiary treatment on site prior to disposal into the sewer may be considered, given short-term capacity constraints at Dru Point until 20/08/09.</p>
<p>DFCS5: Public access: Public access to the foreshore and through the precinct is to be enhanced. Provision will be made for the needs of public transport operators, pedestrians and cyclists.</p>	<p>S5: Public access: Areas for public use are to be identified, suitably landscaped and furnished as part of the development stage in which they are located.</p>
<p>DFCS6: Vegetation: Stands of natural vegetation will be retained where feasible so as to conserve environmental values and soften the visual impact of development.</p>	<p>S5: Vegetation:</p> <p>(a) No vegetation is to be cleared from the site prior to suitable approvals being obtained.</p>

	(b) A Forest Practices Plan is to be prepared and submitted to the Forest Practices Board for approval. Further approvals may be required from the Secretary of DPIWE under the <i>Threatened Species Act 1995</i> and the Australian Government under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> . Strategies to offset any loss of vegetation habitat are to be developed in consultation with Council.
DFCS7: Visual Impact: The dominant visual aspect as viewed from North West Bay is to be the marina and related retail spaces. Visual impact when viewed from the Channel Highway will be softened by retention of screening vegetation. Residential, institutional and other retail developments are to be visually subordinate within the wider landscapes.	S7: Visual Impact: The following strategies are to be applied in order to minimize landscape impacts as viewed from North West Bay and Channel Highway: (a) a comprehensive landscape strategy is to be prepared for each stage of development and submitted with the relevant permit application. The strategy is to include as a minimum, plans to retain native vegetation, the screening of buildings and works and details of plantings with locally occurring species; (b) buildings are to be articulated, limited in height and follow existing landforms to minimize scale and bulk; (c) subtle colour schemes are to be employed and signage strategies (including avoidance of illuminated signage) formulated to minimize visual impact from the water.

o) MARGATE TRAIN, 1567 CHANNEL HIGHWAY, MARGATE*(*Am.A15 g. 17/2/05)

Desired Future Character Statement	Strategy
DFCS: The Margate Train precinct may continue to provide a limited range of tourist related facilities and small retail shops but is not to expand significantly due to its isolated location and distance from Margate where more appropriate locations for retail space exist.	S: Opportunities exist for the orderly change of use of existing shops and service providers as the need arises but additional floor space for such services beyond that existing at 1 July 2004 will not be approved.

6.3 Table of Use Classes

6.3.1 Planning permit required Use Classes in this zone are:

- Business and Civic
- Residential
- Utilities
- Recreation
- Environmental Protection
- Industrial

6.3.2 The prohibited Use Classes in this zone are:

- Primary Industries

6.4 Standards for Use or Development in the Business and Civic Zone

6.4.1 Standards for Use or Development in the Business and Civic Zone

ISSUE 1: Controls applying to Use or Development that are permissible	PRINCIPLE: To ensure that all permissible use or development is compatible with the objectives of the Business and Civic Zone.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
6.4.1.1 Use or Development in the Business and Civic Use Class: All applications for use or development must meet all relevant Acceptable Solutions.	6.4.1.1: Council may approve an application for use or development not meeting the Acceptable Solution provided all relevant provisions of the Scheme are met.
6.4.1.2 Use or development in the Residential Use Class: All applications for use or development must be considered under the Alternative Solutions.	<p>6.4.1.2: Council may approve an application for use or development not meeting the Acceptable Solution where it can be demonstrated that:</p> <ul style="list-style-type: none"> (a) the application will not prejudice the zone objectives or applicable desired future character statements; and (b) the provisions contained in Part 6 of the Scheme are addressed with respect to: <ul style="list-style-type: none"> (i) subdivision; and (ii) provision of utilities; and (iii) building height; and (iv) setbacks; and (c) the provisions contained in Part 5 of the Scheme are addressed with respect to: <ul style="list-style-type: none"> (i) energy efficiency; and (ii) building siting and design; and (iii) front fences and walls; and (iv) home occupation; and (v) privacy and passive surveillance; and* (d) there is adequate private open space in the form of balconies, decks or other spaces for the projected requirements of the dwelling occupants, as well as to provide space for service functions, being in the case of new buildings proposed for construction after 1 July 2004 an area of no less than 20 sq.m.* (e) all relevant provisions of the Scheme are met.

(*Am.B2 g. 29/6/05)

6.4.1.3 Use or development in the Industrial Use Class: All applications for use or development must be considered under the Alternative Solution.

6.4.1.3: Council may approve an application for use or development not meeting the Acceptable Solution where it is demonstrated that:

- (a) the application will not prejudice the zone objectives or applicable desired future character statements;
- (b) the provisions contained in Part 6 of the Scheme are addressed with respect to:
 - subdivision; and
 - (i) provision of utilities; and
 - (ii) loading/unloading; and
 - (iii) building appearance/street character; and
 - (iv) building height; and
 - (v) setbacks; and
 - (vi) plot ratio; and
- (c) the provisions contained in Part 7 of the Scheme with respect to controlled waste storage and disposal are complied with; and
- (d) the proposed use or development is not more appropriately located in the Industrial Zone; and
- (e) all relevant provisions of the Scheme are met.

6.4.1.4 Use or development in the Environmental Protection Use Classes: Council must approve an application for use or development where:

- (a) no impact on environmental values identified on the site occurs; and
- (b) all relevant Acceptable Solutions within the Scheme are met.

6.4.1.4: Council may approve an application for use or development not meeting the Acceptable Solution provided:

- (a) where environmental values are impacted, a strategy to minimise these impacts is provided by a suitably qualified person; and
- (b) all relevant provisions of the Scheme are met.

6.4.1.5 Use or development in the Recreation Use Class: Council must approve an application for use or development where:

- (a) use or development is directly associated with the management or utilisation of existing recreational facilities such as golf courses, bowls clubs, sports fields and ovals and the like; and
- (b) the proposed use or development is an integral element of an overall plan for the entire site; and
- (c) all relevant Acceptable Solutions within the Scheme are met.

6.4.1.5: Council may approve an application for use or development not meeting the Acceptable Solution provided:

- (a) the application will not result in environmental nuisance; and
- (b) existing and emerging community needs will be met by the proposed use or development; and
- (c) all relevant provisions of the Scheme are met.

<p>6.4.1.6 Use or development in the Utilities Use Class: Council must approve an application for use or development where:</p> <ul style="list-style-type: none"> (a) the use or development is a necessary and integral element of an existing use or development; and (b) all relevant Acceptable Solutions within the Scheme are met. 	<p>6.4.1.6: Council may approve an application for use or development not meeting the Acceptable Solution provided:</p> <ul style="list-style-type: none"> (a) the application will not prejudice the zone objectives or applicable desired future character statements and strategies; and (b) no environmental nuisance will result; and (c) all relevant provisions of the Scheme are met.
<p>ISSUE 2: Subdivision and Utility Provision</p>	<p>PRINCIPLE: To ensure that the size and dimensions of lots created are appropriate to the requirements of the proposed activity. Lots are also to meet minimum infrastructure requirements.</p>
<p>Acceptable Solution (Deemed to Comply)</p>	<p>Alternative Solution (Requires Justification)</p>
<p>6.4.2.1 Subdivision: The following minimum standards apply:*</p> <ul style="list-style-type: none"> (a) subdivision in this zone is to have a minimum lot size of 270 sq.m with each lot having a frontage to a road of not less than 9m and width of not less than 9m to a depth of 9 m;and (b) subdivision may only be approved as part of an application which includes a proposal for the erection of buildings; or (c) in the case of boundary adjustments adjustment of the title boundaries of a parcel of land to achieve a more efficient layout is allowed where no net addition of lots will occur; and <p>Each lot is suitable for the purpose proposed and meets all relevant Scheme controls.</p>	<p>6.4.2.1: Council may approve an application that does not meet the Acceptable Solutions provided:*</p> <ul style="list-style-type: none"> (a) it can be shown that the lot is required as part of an application for use or development in accordance with the standards of the zone; or (b) subdivision may be approved without a building for the site being identified provided the lot proposed is either in excess of 2ha in area or has a building envelope to identify where the future buildings will be built. (c) None.
<p>(*PSA-2014-3 g.11/11/14)</p> <p>6.4.2.2 Provision of Utilities: All applications for use or development must meet the Acceptable Solutions contained in Issue 5 of Schedule 1 of the Scheme with respect to:</p> <ul style="list-style-type: none"> (a) effluent disposal; and (b) stormwater discharge; and (c) water reticulation. 	<p>6.4.2.2: Council may approve an application for use or development not meeting the Acceptable Solution with respect to effluent disposal if the Alternative Solution in Issue 5 of Schedule 1 of the Scheme is met.</p> <p>For stormwater discharge and water reticulation there is no Alternative Solution and the Acceptable Solution must be met.</p>

ISSUE 3: Delivery of Goods	PRINCIPLE: To ensure that the movement of commercial vehicles delivering goods to business, commercial or civic premises do not occur in a manner as to endanger the public.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
<p>6.4.3.1 Loading/Unloading: The following standards are to be met:</p> <ul style="list-style-type: none"> (a) On road: in accordance with the Guide to Traffic Engineering Practice, Part 11 NAASRA (1988); (b) Off road: in accordance with AS 2890.2 (1989). 	<p>6.4.3.1: Where delivery of goods is required arrangements for parking, manoeuvring, loading and unloading of delivery vehicles is not to interfere with pedestrian or vehicle movements on roads, nor be completely reliant on kerb side parking.</p>
ISSUE 4: Building appearance and street character	PRINCIPLE: To ensure development enhances the streetscape and provides for high quality civic spaces*.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
<p>6.4.4.1 Orientation: Retail commercial premises are to face on to and be directly accessible to pedestrians from the road on which they are sited. Where a site has two frontages to different categories of road (refer to Schedule 3) orientation is to be considered primarily from the higher category road.</p>	<p>6.4.4.1: Retail commercial premises may be directly accessible from a mall or arcade provided it can be demonstrated that the level of public access is not unreasonably restricted by the securing of such spaces.</p>
<p>6.4.4.2 External Appearance: No unpainted metal products are to be used for wall or roof cladding.</p>	<p>6.4.4.2: Council may approve an application for use or development not meeting the Acceptable Solution where it can be demonstrated to blend with the existing environment.</p>
<p>6.4.4.3 Maximum Building Height:* The maximum height of buildings is to be 10m provided that:</p> <ul style="list-style-type: none"> (a) no direct overlooking of any habitable room windows, balconies or decks of adjoining residences will occur; and (b) not be greater than 1 storey above the number of storeys of immediately adjacent buildings.** <p>(*Am.B2 g. 29/6/05) (**Am.2006-9 g.12/9/07)</p>	<p>6.4.4.3: Council may approve development not meeting the Acceptable Solution where:</p> <ul style="list-style-type: none"> (a) no direct overlooking of any habitable room windows, balconies or decks of adjoining residences will occur; and (b) overshadowing of any habitable room windows, balconies or decks of nearby residences is minimized through the use of setbacks, building mass and roof pitches; and (c) no new building should be significantly out of scale with adjoining buildings in terms of height and bulk; and (d) a transition in scale is achieved through the progressive stepping of upper storey habitable floor levels away from adjoining residences. <p>Except in Kingston Beach; where no building is to be greater than 10m in height under any circumstances.*</p>

6.4.4.4 Minimum Setbacks: The following standards apply:

- (a) **Front Setbacks:** either
 - (i) the front wall of a new building is to be setback so as to be within 2m (forward or backwards) of the average setback from the road of the nearest 5 buildings on the same road; or
 - (ii) if the development site is on a road corner, the setback is to be within 2m of the setback of the nearest principal building on another site with access to that road.
- (b) No side or rear setback is required except where the property abuts a lot within the Residential Zone in which the standards set out in Table 6.1 apply.*

Table 6.1 Minimum Setbacks to Residential Zone Boundaries

Maximum Wall Height (m)	Setback
3 or less	0
4	1.3
5	1.6
6	1.9
6 or greater	1.9 + .3m for each 1m of wall height above 6 metres

(*Am.B2 g. 29/6/05)

6.4.4.5 Carparking Location: Carparking will

- (a) not be located forward of the building line; and
- (b) be located a minimum of 1.5m from side and rear boundaries to allow for screen planting and noise attenuation except where the property abuts a lot within the Residential Zone in which case the minimum separation is 5m.

6.4.4.4: Council may approve an application not meeting the Acceptable Solution where it is demonstrated that the building would:

- (a) contribute to the streetscape; and
- (b) assist in the integration of new development into the streetscape; and
- (c) provide amenity for road users and pedestrians; and
- (d) no adverse impact on adjoining use or development will result.

6.4.4.5: Carparking must be designed and located to ensure that it does not adversely effect the streetscape or visual or acoustic privacy of adjacent residential sites. In determining whether to approve carparking forward of the building line Council will require a landscaping plan which documents and demonstrates the specific design solutions proposed for the site.

ISSUE 5: Landscaping	PRINCIPLE: The principles of effective landscaping within the urban environment are to: <ul style="list-style-type: none"> (a) enhance the appearance of use or development within the context of the local streetscape; (b) retain or enhance tree cover as a key element of urban biodiversity; (c) encourage more "people friendly" urban areas, particularly carparks and surrounding hard surfaces for canopy trees and ground shrubs where possible; (d) provide for more effective control of runoff and erosion; (e) reduce the influence and effect of noise, weather extremes and wind on pedestrians at the road level; and (f) better define pedestrian and vehicle circulation systems.
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Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
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6.4.5.1 Landscaping: The landscaping plan is to be prepared by a suitably qualified person showing how it is proposed to:

- (a) provide screening; and
- (b) separate incompatible activities; and
- (c) address local climate constraints including prevailing weather in winter; and
- (d) assist in the control of runoff and erosion

6.4.5.1: Council may approve an application for use or development not meeting the Acceptable Solution where it is satisfied that the principles specified for Issue 5 are achieved.

and is to meet the following minimum standards:

- (i) every tree proposed to be removed above a height of 10m or with a branch width exceeding 5m shall be replaced by a tree listed in Schedule 10 of the Scheme (or another species agreed to by Council); and
- (ii) no less than 5% of the total area of carparks¹ or 1 tree/5 spaces whichever is the greater is to be set aside for landscaping, primarily with shade trees; and
- (iii) the minimum area of on-site landscaping must not be less than 10 sq.m in area with a width of 1.5m in any direction measured curb to curb².

¹ Landscaping along front, side and rear boundaries on the perimeter of the carparking area is not included in calculations.

² No specific standard for on-site landscaping applies where carparking areas are used primarily for loading and unloading of goods rather than employee/client/ customer carparking.

6.5 Schedules to Apply in the Business and Civic Zone

6.5.1 The following schedules must be adhered to with respect to use or development in the Business and Civic Zone:

- Schedule 1 - Environmental Management
- Schedule 2 - Heritage
- Schedule 3 - Road Asset and Access
- Schedule 4 - Car Parking and Bicycles
- Schedule 5 - Waterways, Wetlands and the Coastal Area
- Schedule 6 - Attenuation Distances
- Schedule 7 - Bushfire Prone Areas
- Schedule 8 - Signs
- Schedule 9 - Environmental Weeds
- Schedule 10 - Protected Vegetation
- Schedule 11 - Potentially Contaminated Lands
- Schedule 12 - Telecommunications Infrastructure
- Schedule 14 – Area Desired Future Character Statement Schedule*
- Schedule 15 – Multi-Unit Housing Schedule**.

(*Am.2006-5 g.12/9/07)

(**Am.2006-11 g.12/9/07)

7.0 Industrial Zone

7.1 Objectives of the Industrial Zone

- 7.1.1 This zone incorporates predominantly industrial and associated development of areas including Huntingfield industrial estate, Browns Road, Kingston, Gemalla/Bundalla Roads, Margate, in addition to areas of port and marine industry such as marina development at Ferry Road, Kettering, Pothana Road, Electrona and Marina Drive, Electrona as shown on the Scheme plans.
- 7.1.2 The objectives for the Industrial Zone are to:
- (a) concentrate industrial uses in designated areas; and
 - (b) allow a range of other use or development that does not affect the viability and operation of use or development; and
 - (c) provide a focal point for investment in industrial employment generating activities; and
 - (d) minimise the risk of nuisance complaint from more sensitive uses; and
 - (e) provide for facilities related to marine farming and fishing-related activities generally as important local industries both for the planning scheme area and the region; and
 - (f) allow other use or development that is compatible with these values.

7.2 Desired Future Character Statements and Strategies

- 7.2.1 The values associated with this zone and the accompanying strategies are described below:

(a) BROWNS ROAD, KINGSTON

Desired Future Character Statement	Strategy
DFCS1: This estate serves an important function as a convenient location for manufacture and production and serves as a significant employment area which should expand.	S1: New industrial development is to be encouraged.
DFCS2: The estate adjoins residential zoned land on the opposite side of Browns Road and amenity conflict will be avoided.	S2: Amenity conflict is to be avoided through attention to noise mitigation and general emission controls including establishing higher impact development away from Browns Road.
DFCS3: Signage will promote businesses to passing traffic on Browns Road only.	S3: Signs intended to attract passing traffic along the Southern Outlet is to be avoided.

(b) HUNTINGFIELD INDUSTRIAL ESTATE, HUNTINGFIELD

Desired Future Character Statement	Strategy
DFCS1: This precinct serves an important role in allowing a range of more intensive industrial activities and contributes to local employment and expansion is desirable. This is also the preferred location for food manufacture activities.	S1: Promotion of more intensive industrial development, particularly development with likely noise or air emissions is to be facilitated provided opportunities for other industrial activities are not adversely impacted.

DFCS2: Modern, well presented development with particular emphasis on: (a) landscaping; (b) parking and access areas; and (c) corporate signage is desirable	S2: Landscape plans will be required and all carparking and access areas sealed. An ongoing requirement for use of corporate signage that is well integrated with existing signage will be applied.
DFCS3: Road circulation improvements will be needed to allow efficient use of the industrial estate.	S3: The internal loop road is to be completed in an environmentally sensitive manner.

(c) GEMALLA ROAD/BUNDALLA ROAD MARGATE

Desired Future Character Statement	Strategy
DFCS1: This precinct due to its location near the water, proximity to Kingston and Hobart and existing marine industrial base is a preferred location for ongoing and new maritime industrial activity.	S1: Ship building and ancillary industry which will give Kingborough a competitive export industry and support local maritime users including aquaculture, and recreational users are encouraged.
DFCS2: Industrial development of lesser environmental impact should be located adjacent and surrounding the nearby residential properties in Gemalla Road and opposite the residential properties located south of Derwent Avenue.	S2: Amenity conflict will be avoided through attention to noise mitigation and general emission controls with environmentally more sensitive uses encouraged.
DFCS3: Vehicular traffic generated from the Gemalla Road industrial area will not impact on local resident safety in Beach Road.	S3: Existing and future industrial development will be managed so that wherever practical vehicle traffic is directed towards Gemalla Road.
DFCS4: The scale of new development will not dominate the landform	S4: Building and bulk controls will be applied to avoid new development overwhelming the character of the landscape.
DFCS5: Further road and infrastructure upgrades within the industrial area is warranted to improve the standard of development.	S5: Existing and future development levies will be applied to progressive treatment of the road system including Gemalla and Bundalla Roads. Investigation of future integration of development into the Council's future sewer system is also ongoing.

(d) MIDWOOD STREET, TINDERBOX (Powderpoint Jetty)

Desired Future Character Statement	Strategy
DFCS: This precinct will continue to provide opportunities for aquaculture related activities dependent on access to North West Bay.	S: Orderly use or development of the Powderpoint Jetty for aquaculture-related activities is desirable, however significant expansion may need to be restricted if residential amenity in the area is to be preserved.

(e) CHANNEL HIGHWAY, ELECTRONA AND MARGATE MARINA PARK

Desired Future Character Statement	Strategy
DFCS: This precinct will provide important employment and servicing capacity for local industry and boat users. These capacities will continue to expand, together with local industry.	S: To work with and assist industry to locate within the area and benefit from resource sharing.

(f) POTHANA ROAD, ELECTRONA

Desired Future Character Statement	Strategy
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DFCS: This precinct will provide ongoing industrial opportunities for activities that require access to local employment and infrastructure but is not a preferred bulk handling port site.	S: To allow continuing and orderly use of existing infrastructure with an emphasis on employment generating activities of a low impact nature. Preference will be given for marine farming and aquaculture related industries as well as facilities servicing vessels involved with Antarctic, hydrographic activities and the like.
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7.3 Table Of Use Classes

7.3.1 Planning permit required Use Classes in this zone are:

- Industrial
- Utilities
- Business and Civic
- Environmental Protection
- Recreation
- Primary Industries

7.3.2 The prohibited Use Classes in this zone are:

- Residential

7.4 Standards for Use or Development in the Industrial Zone

7.4.1 Standards for Use or Development in the Industrial Zone

ISSUE 1: Controls applying to Use or Development that are permissible	PRINCIPLE: To ensure that all permissible use or development is compatible with the objectives of the Industrial Zone.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
7.4.1.1 Use or Development in the Industrial Use Class: All applications for use or development must meet all relevant Acceptable Solutions.	7.4.1.1: Council may approve an application for use or development not meeting the Acceptable Solution provided all relevant provisions of the Scheme are met.
7.4.1.2 Use or development in the Business and Civic Use Class: All applications for use or development must meet the Alternative Solutions.	7.4.1.2: Council may approve an application for use or development not meeting the Acceptable Solution where it can be demonstrated that: <ul style="list-style-type: none"> (a) the application will not prejudice the zone objectives or applicable desired future character statements; and (b) the application is not inconsistent with the transport strategies defined in Part 2 of the Scheme; and (c) complies with the provisions contained in Part 7 of the Scheme are addressed with respect to: <ul style="list-style-type: none"> (i) subdivision; and (ii) provision of utilities; and

	<ul style="list-style-type: none"> (iii) controlled waste storage and disposal; and (iv) building height; and (v) setbacks; and (vi) landscaping; and (d) the provisions contained in Part 6 of the Scheme are addressed with respect to: <ul style="list-style-type: none"> (i) loading and unloading of goods; and (ii) orientation to the street; and (iii) carparking location; and (e) all relevant provisions of the Scheme are met.
7.4.1.3 Use or development in the Primary Industries Use Class: Council must approve an application for use or development where: <ul style="list-style-type: none"> (a) the proposed use or development is a necessary and integral element of a farm management plan; and (b) there are no environmental values identified on the site; and (c) all relevant Acceptable Solutions within the Scheme are met. 	7.4.1.3: Council may approve an application for use or development not meeting the Acceptable Solution provided: <ul style="list-style-type: none"> (a) where environmental values identified a strategy to minimise impacts is provided by a suitably qualified person; and (b) all relevant provisions of the Scheme are met.
7.4.1.4 Use or development in the Environmental Protection Use Classes: Council must approve an application for use or development where: <ul style="list-style-type: none"> (a) no impact on environmental values identified on the site will occur; and (b) all relevant Acceptable Solutions within the Scheme are met. 	7.4.1.4: Council may approve an application for use or development not meeting the Acceptable Solution where it can be demonstrated that: <ul style="list-style-type: none"> (a) the application will not prejudice the zone objectives or applicable desired future character statements; and (b) all relevant provisions contained in Part 7 of the Scheme are met; and (c) all relevant provisions of the Scheme are met.
7.4.1.5 Use or development in the Utilities Use Class: Council must approve use or development where: <ul style="list-style-type: none"> (a) the use or development is a necessary and integral element of an existing use or development; and (b) all relevant Acceptable Solutions within the Scheme are met. 	7.4.1.5: Council may approve use or development not meeting the Acceptable Solution where it can be demonstrated that: <ul style="list-style-type: none"> (a) the application will not prejudice the zone objectives or applicable desired future character statements and strategies; and (b) no environmental nuisance will result; and (c) all relevant provisions of the Scheme are met.

<p>7.4.1.6 Use or development in the Recreation Use Class: Council must approve use or development where:</p> <ul style="list-style-type: none"> (a) the use or development is directly associated with the management or utilisation of existing recreational facilities such as golf courses, bowls clubs, sports fields and ovals and the like; and (b) the proposed use or development is an integral element of an overall plan for the entire site; and (c) all relevant Acceptable Solutions within the Scheme are met. 	<p>7.4.1.6: Council may approve use or development not meeting the Acceptable Solution where it can be demonstrated that:</p> <ul style="list-style-type: none"> (a) the application will not prejudice the zone objectives or applicable desired future character statements and strategies; and (b) no environmental nuisance will result; and (c) all relevant provisions of the Scheme are met.
<p>ISSUE 2: Subdivision and Utility Provision</p>	<p>PRINCIPLE: To ensure that subdivision of land is appropriate to the needs of the intended use. Lots are also to meet minimum infrastructure requirements.</p>
<p>Acceptable Solution (Deemed to Comply)</p>	<p>Alternative Solution (Requires Justification)</p>
<p>7.4.2.1 Subdivision: The minimum lot size is to be 1000 sq.m with a minimum frontage to a road of 20m with each lot suitable for the purpose proposed and meeting all relevant Scheme controls.</p>	<p>7.4.2.1: Council may approve a subdivision not meeting the Acceptable Solution where:</p> <ul style="list-style-type: none"> (a) it can be shown that the area of each lot(s) is adequate for a use or development to proceed; or (b) it is to adjust the boundaries to achieve a more efficient lot layout.
<p>7.4.2.2 Provision of Utilities: All applications for use or development must meet the Acceptable Solutions contained in Issue 5 of Schedule 1 of the Scheme with respect to:</p> <ul style="list-style-type: none"> (a) effluent disposal; and (b) stormwater discharge; and (c) water reticulation. 	<p>7.4.2.2: Council may approve an application for use or development not meeting the Acceptable Solution with respect to effluent disposal if the Alternative Solution in Issue 5 of Schedule 1 of the Scheme is met.</p> <p>For stormwater discharge and water reticulation there is no Alternative Solution and the Acceptable Solution must be met.</p>
<p>ISSUE 3: Controlled waste storage and disposal</p>	<p>PRINCIPLE: To ensure that controlled waste and disposal is undertaken in an appropriate manner according to best practice.</p>
<p>Acceptable Solution (Deemed to Comply)</p>	<p>Alternative Solution (Requires Justification)</p>
<p>7.4.3.1 Method of disposal: All applications involving controlled waste storage and disposal is to be considered under the Alternative Solution.</p>	<p>7.4.3.1: Controlled waste storage and disposal is to be in accordance with industry best practice and all relevant regulations.</p>

ISSUE 4:		PRINCIPLE:
Building appearance and street character		To ensure that building appearance from roads is visually compatible with surrounding development and maintain amenity.
Acceptable Solution (Deemed to Comply)		Alternative Solution (Requires Justification)
7.4.4.1 External appearance: No unpainted metal materials are to be used for wall or roof cladding.		7.4.4.1: Council may approve a building with an external appearance not meeting the Acceptable Solution where it can be demonstrated to blend with the existing environment.
7.4.4.2 Maximum Building Height: The maximum building height is 12m.		7.4.4.2: Council may approve a building not meeting the Acceptable Solution where it can be demonstrated that the building will not cause overshadowing or significantly detract from the streetscape or landscape appearance.
7.4.4.3 Setbacks: The minimum setback standards are as follows:		7.4.4.3: Council may vary any setbacks where it is of the view that:
(a) Front setbacks 10m		(a) buildings, storage, parking and manoeuvring areas are setback a sufficient distance to ensure that visual intrusion is minimised; and
(b) Side and Rear Setbacks 3m		(b) a plan is submitted which demonstrates that adequate visual screening can be provided.
7.4.4.4 Maximum Plot Ratio: The following standards apply:		7.4.4.4: Council may allow a plot ratio exceeding that specified in the Acceptable Solutions where it is satisfied that buildings and works are sited so as to:
Lot Area (m ²)	Plot Ratio	
<1000	50%	
1000-1500	55%	(a) provide sufficient space for all infrastructure and service needs; and
1501-2500	60%	(b) avoid unnecessary visual intrusion into surrounding areas.
>2500	65%	

ISSUE 5: Landscaping	PRINCIPLE: To enhance the appearance of use or development, provide visual screening, assist in the control of run off and erosion, contribute to a reduction in noise levels and define pedestrian and vehicle circulation systems.	
Acceptable Solution (Deemed to Comply)		Alternative Solution (Requires Justification)
7.4.5.1 Landscaping: Land forward of the building frontage and within the front setback must be landscaped in accordance with a plan submitted with the application showing: <ul style="list-style-type: none"> (a) screening for use or development; and (b) how incompatible activities are separated; and (c) how runoff and erosion is controlled; and (d) how measures to reduce the visibility of use or development and/or mitigate against noise from nearby roads will be carried out. 		7.4.5.1: Council may approve use or development not meeting the Acceptable Solution where it is satisfied that a landscape plan has been prepared that will ensure that the visual impacts can be effectively managed.
7.4.5.2 Landscaping in visually or environmentally sensitive areas: Landscaping for a use or development on land which abuts a Crown coastal reserve or has a boundary to high water mark must be considered under the Alternative Solution 7.4.5.1.		7.4.5.2: Council may approve a use or development in compliance with the Alternative Solution for cl. 7.4.5.1.

ISSUE 6: Future Ports in NW Bay	PRINCIPLE: The preferred location for future port related development is in the Gemalla Road industrial area at Margate.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
7.4.6.1 New Ports: All applications for use or development must be considered under the Alternative Solution.	<p>7.4.6.1: Council may allow use or development for the purposes of a port in North West Bay where it is considered that such a application:</p> <ul style="list-style-type: none"> (a) will not cause an environmental nuisance under the provisions of EMPCA; and (b) will have minimal impact on existing aquaculture activities in North West Bay; and (c) will not likely lead to the introduction of exotic marine life into the D'Entrecasteaux Channel; and (d) would not impact on the integrity of the marine ecosystems of North West Bay; and (e) a strategy for traffic circulation in Margate is prepared and adopted by Council; and (f) in the event that port related activity is proposed in a location other than the Gemalla Road area of Margate it is demonstrated why it would be impractical to locate in the Gemalla Road industrial area.

7.5 Schedules to Apply in the Industrial Zone

7.5.1 The following schedules must be adhered to with respect to use or development in the Industrial Zone:

Schedule 1 - Environmental Management
 Schedule 2 - Heritage
 Schedule 3 - Road Asset and Access
 Schedule 4 - Car Parking and Bicycles
 Schedule 5 - Waterways, Wetlands and the Coastal Area
 Schedule 6 - Attenuation Distances
 Schedule 7 - Bushfire Prone Areas
 Schedule 8 - Signs
 Schedule 9 - Environmental Weeds
 Schedule 10 - Protected Vegetation
 Schedule 11 - Potentially Contaminated Lands
 Schedule 12 - Telecommunications Infrastructure
 Schedule 14 – Area Desired Future Character Statement Schedule*
 Schedule 15 – Multi-Unit Housing Schedule**.

(*Am.2006-5 g.12/9/07)

(**Am.2006-11 g.12/9/07)

8.0 Primary Industries Zone

8.1 Objectives of the Primary Industries Zone

8.1.1 This zone incorporates primary industry, forestry and grazing. It includes land used for farming, forestry, quarrying or mineral extraction processing works and a range of other non-urban uses such as roads, electricity distribution lines, water supply utilities and the like.

8.1.2 The objectives of the Primary Industries Zone are to:

- (a) protect and allow for the sustainable use or development of the natural and non-natural resources on which agriculture, aquaculture, forestry and mining depend;
- (b) prevent urban sprawl by not allowing ribbon residential development between townships;
- (c) facilitate marine farming and fishing-related activities generally as important local industries both for the planning scheme area and the region; and
- (d) allow for other use or development that is compatible with these values.

8.2 Desired Future Character Statements and Strategies

8.2.1 The values associated with this zone and the accompanying strategies are described below:

Desired Future Character Statement	Strategy
DFCS1: Good quality agricultural land, limited prime agricultural land and other land considered to be important or potentially important in the future for agriculture are a finite resource which will be protected from subdivision and inappropriate activities which reduce the potential for a range of commercially viable agricultural activities.	S1: Good quality agricultural land will be protected from fragmentation if this would reduce the future potential for agricultural production. Land north of Margate extending along North West Bay River and comprising basalt/alluvium soils is of regional significance and is to be protected accordingly.*
	*Am.A35 g 7/3/05
DFCS2: Access to commercially viable mineral and quarry deposits will be preserved.	S2: Commercially viable mineral and quarry operations are encouraged provided basic standards for environmental management are met.
DFCS3: Clean air and water quality is to be maintained.	S3: Air and water quality will be protected by controlling off site impacts of use or development.
DFCS4: Visually attractive natural and semi-natural areas with often significant landscape values are to be protected.	S4: Controls will be applied to ensure development is sited to reduce visual impact and disturbance of natural areas.

8.2.2 The values and strategies specifically with respect to agriculture include the following:

Desired Future Character Statement	Strategy
DFCS1: Agricultural tourism industries will become increasingly important.	S1: Growing opportunities for agricultural tourism including vine production, cherry production and bed and breakfast accommodation, wine bottling, door sales and roadside stalls are to be encouraged.
DFCS2 Organic agriculture will be an important element of future rural production.	S2: Controls will be applied which reduce likely conflict between different agricultural activities including genetically modified crops.
DFCS3: Intensive horticulture is promoted and land suitable for these activities should be protected for current or future production.	S3: Intensive forms of agriculture with high returns per hectare and high input costs particularly in cherry, berry fruit, fresh vegetable and cut flower production are encouraged. Where possible, human effluent will be recycled to assist agricultural production.
DFCS4: Recognition that the non viability of individual properties does not in itself support subdivision for non-agricultural purposes with amalgamation of titles or other processes encouraged to enhance farm viability.	S4: Planning controls will promote property amalgamation to facilitate a range of agricultural activities.
DFCS5: The avoidance of conflict between a range of land uses, recognising the intent of the zone to facilitate agricultural uses.	S5: Attenuation distances and other strategies will be applied to reduce the likelihood of conflict.

8.3 Table of Use Classes

8.3.1 Planning permit required Use Classes in this zone are:

- Primary Industries
- Environmental Protection
- Industrial
- Business and Civic
- Recreation
- Residential
- Utilities

8.3.2 The prohibited Use Classes in this zone are:

- Nil

8.4 Standards for Use or Development in the Primary Industries Zone

8.4.1 Standards for Use or Development in the Primary Industries Zone

ISSUE 1: Controls applying to Use Classes that are permissible.	PRINCIPLE: To ensure that all permissible use or development is compatible with the objectives of the Primary Industries Zone.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
8.4.1.1 Use or Development in the Primary Industrial Use Class: All applications for use or development must meet all the relevant Acceptable Solutions within the Scheme.	8.4.1.1: Council may approve an application for use or development not meeting the Acceptable Solution provided all relevant provisions of the Scheme are met.
8.4.1.2 Use or development in the Residential Use Class: All applications for use or development must be considered under the Alternative Solution.	8.4.1.2: Council may approve an application for use or development not meeting the Acceptable Solution (other than multi-unit housing which is prohibited) where it can be demonstrated that: <ul style="list-style-type: none"> (a) the application will not prejudice the zone objectives or applicable desired future character statements; and (b) the application is not inconsistent with the transport strategies defined in Part 2 of the Scheme; and (c) complies with the provisions contained in Part 8 of the Scheme are addressed with respect to: <ul style="list-style-type: none"> (i) subdivision; and (ii) provision of utilities; and (iii) development on prime agricultural land; and (d) the provisions contained in Part 5 of the Scheme are addressed with respect to: <ul style="list-style-type: none"> (i) energy efficiency; and (ii) building height; and (iii) home occupation; and (e) the proposal does not cause or contribute to ribbon development; and (f) the opportunity for a range of agricultural use possible is not reduced; and (g) the risk of environmental nuisance complaints arising due to neighbouring existing agricultural uses is minimised.; and (h) all relevant provisions of the Scheme are met.

This clause must be read in conjunction with Issue 3 where prime agricultural land is affected.

<p>8.4.1.3 Use or development in the Business and Civic Use Class: All applications for use or development must be considered under the Alternative Solution.</p>	<p>8.4.1.3: Council may approve an application for use or development not meeting the Acceptable Solution where it can be demonstrated that:</p> <ul style="list-style-type: none"> (a) the application will not prejudice the zone objectives or applicable desired future character statements; and (b) the proposal is not inconsistent with the transport strategies defined in Part 2 of the Scheme; and (c) in the case of use or development that is to provide retail services this particular service is needed by the community and is not more appropriately provided within the Business and Civic Zone; and (d) all relevant provisions of the Scheme are met.
<p>8.4.1.4 Use or development in the Industrial Use Classes: All applications for use or development must be considered under the Alternative Solution.</p>	<p>8.4.1.4: Council may approve an application for use or development not meeting the Acceptable Solution where it can be demonstrated that:</p> <ul style="list-style-type: none"> (a) the application will not prejudice the zone objectives or applicable desired future character statements; (b) the provisions contained in Part 8 of the Scheme are addressed with respect to: <ul style="list-style-type: none"> (i) subdivision; and (ii) provision of utilities; and (iii) external appearance; and (iv) building height; and (v) setbacks; and (c) the provisions contained in Part 7 of the Scheme are met with respect to: <ul style="list-style-type: none"> (i) controlled waste storage and disposal; and (ii) landscaping; and (d) all relevant provisions of the Scheme are met.
<p>8.4.1.5 Use or development in the Environmental Protection Use Class: Council must approve use or development where:</p> <ul style="list-style-type: none"> (a) no impact on environmental values identified on the site will occur; and (b) all relevant Acceptable Solutions within the Scheme are met. 	<p>8.4.1.5: Council may approve an application for use or development not meeting the Acceptable Solution where it can be demonstrated that:</p> <ul style="list-style-type: none"> (a) where environmental values are impacted a strategy to minimise these impacts is provided by a suitably qualified person; and (b) all relevant provisions of the Scheme are met.

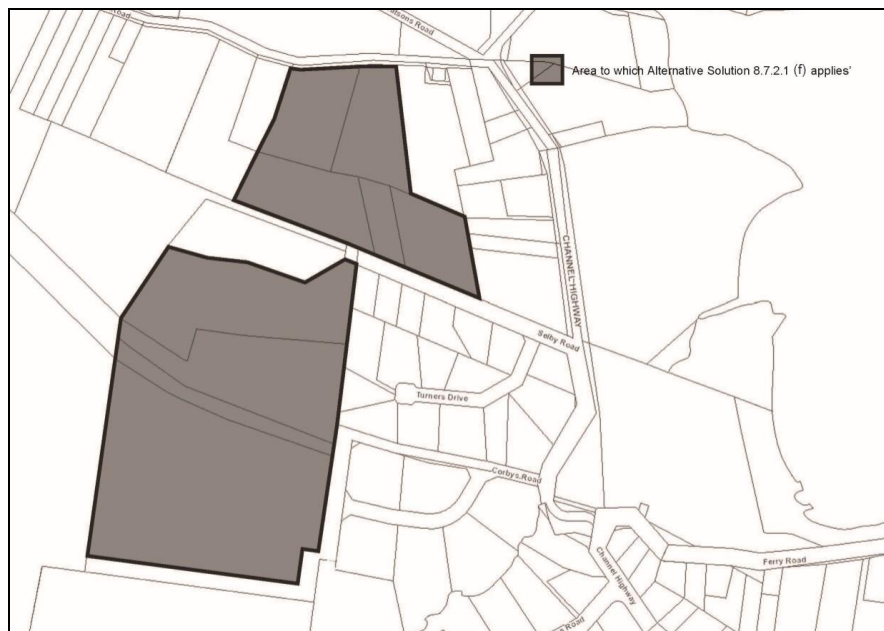
<p>8.4.1.6 Use or development in the Utilities Use Class: Council must approve an application for use or development where:</p> <ul style="list-style-type: none"> (a) the use or development is a necessary and integral element of an existing use or development; and (b) all relevant Acceptable Solutions within the Scheme are met. 	<p>8.4.1.6: Council may approve an application for use or development not meeting the Acceptable Solution where it can be demonstrated that:</p> <ul style="list-style-type: none"> (a) the proposal will not prejudice the zone objectives or applicable desired future character statements and strategies; and (b) no environmental nuisance will result; and (c) all relevant provisions of the Scheme are met.
<p>8.4.1.7 Use or development in the Recreation Use Class: Council must approve an application for use or development where:</p> <ul style="list-style-type: none"> (a) the use or development is directly associated with the management or utilisation of existing recreational facilities such as golf courses, bowls clubs, sports fields and ovals and the like; and (b) the use or development is an integral element of an overall plan for the entire site; and (c) all relevant Acceptable Solutions within the Scheme are met. 	<p>8.4.1.7: Council may approve an application for use or development not meeting the Acceptable Solution where it can be demonstrated that:</p> <ul style="list-style-type: none"> (a) the application will not result in environmental nuisance; and (b) existing or emerging community needs will be met by the proposed use or development; and (c) all relevant provisions of the Scheme are met.

ISSUE 2: Subdivision and Utility Provision	PRINCIPLE: To ensure the subdivision of land is appropriate to the needs of the intended use and protects agricultural land from fragmentation or from use or development that would fetter the operation of an existing or future resource development. Lots are also to meet minimum infrastructure requirements.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
<p>8.4.2.1 Subdivision: Council must approve a subdivision for lot(s) in the following circumstances:</p> <ul style="list-style-type: none"> (a) the lot(s) has an area of not less than 40 ha and is classified as Class 6 or 7 under the LCCS; or (b) the lot(s) facilitate shore-based marine farming where: 	<p>8.4.2.1: Council may approve a subdivision not meeting the Acceptable Solution where:</p> <ul style="list-style-type: none"> (a) the lot(s) to be created have an area of not less than 40ha and: <ul style="list-style-type: none"> (i) there is a farm management plan justifying the proposed subdivision; and (ii) the size, shape and configuration of the lot(s) have regard to environmental constraints, landscape features and hazards; and (iii) frontage to a road of a width no less than 4m is provided; and (iv) all other relevant provisions of the Scheme are met; or, (b) for shore based marine farming there is no Alternative Solution; or

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- (i) evidence is provided of a current marine farming licence issued pursuant to the *Living Marine Resources Management Act 1995* or a licence issued pursuant to the *Inland Fisheries Act 1995*; and
 - (ii) a concurrent application is submitted for the use or development of the land; and
 - (iii) it is demonstrated that the configuration of the lot(s) is necessary to meet the requirements of the use or development; and
 - (iv) complies with all relevant Acceptable Solutions within the Scheme.
- (c) the lot(s) has an area of not less than 12 ha and:
 - (i) the application identifies all lot(s) to be created; and
 - (ii) a farm management plan is prepared by a suitably qualified person confirming that a range of agricultural uses can occur on all proposed lot(s) and that the subdivision facilitates this approach; and
 - (iii) a building envelope is identified for each lot to ensure as far as practicable all arable land is available for agricultural uses; and
 - (iv) each lot has frontage to a road of not less than 6m width; or
 - (d) in the case of subdivision of land located at Englefield Drive, Margate, an application is made for the further staged subdivision of land based on the outline plan of subdivision shown on approval SD 1944, 26/10/1992.
 - (e) In the case of subdivision of land (CT 113411/1) known as 3035 Channel Highway, Kettering, subdivision must be substantially in accordance with the modified Plan of Subdivision shown for DAS-2006-30 dated 28 July 2014.*
 - (f) In the case of subdivision of land within the area of Kettering shown in Figure 8.0, the lot(s) to be created has an area of not less than 2,500m² and;
 - (i) Frontage to a road of a width no less than 4m is provided; and
 - (ii) The portion of CT 105924/1 located above the 60m contour and including the existing residence, is retained within a single balance lot; and
 - (iii) Where there is an impact upon environmental values arising from the subdivision of the land:
 - (a) Suitable strategies are identified to minimise those impacts; and
 - (b) No practical alternative with respect to alternative building locations on the site exist.**

(*PSA-2006-4 g.11/9/14) (**PSA-2014-2 g. 6/2/15)

Figure 8.0 – Area to which Alternative Solution 8.4.2.1(f) applies**



(**PSA-2014-2 g. 6/2/15)

8.4.2.2 Boundary Adjustments and Minor Subdivisions: Council may approve minor boundary adjustments or subdivisions for the following purposes:

- (a) minor boundary adjustments to existing titles provided no additional lots are created; or
- (b) the provision of public services and utilities; or
- (c) to provide additional public access or public open space.

8.4.2.2: None.

8.4.2.3 Provision of Utilities: All applications for use or development must meet the Acceptable Solutions contained in Issue 5 of Schedule 1 of the Scheme with respect to:

- (a) effluent disposal;
- (b) stormwater discharge; and
- (c) water reticulation.

8.4.2.3: Council may approve an application for use or development not meeting the Acceptable Solution with respect to effluent disposal if the Alternative Solution in Issue 5 of Schedule 1 of the Scheme is met.

For stormwater discharge and water reticulation there is no Alternative Solution and the Acceptable Solution must be met.

ISSUE 3: Prime Land	PRINCIPLE: Agricultural To ensure that animal and crop production has priority in accessing prime agricultural land.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
8.4.3.1 Acceptable Uses: Use or development to be located on prime agricultural land must be directly dependant on the soil resource.	8.4.3.1: Council may approve an application for use or development not directly dependant on the soil resource where: <ul style="list-style-type: none"> (a) the proposed use or development is directly associated with furthering the agricultural use of the land; or (b) community benefit can be demonstrated and no other suitable sites are available; or (c) the land is shown to be isolated from other areas of prime agricultural land and is of insufficient size to form a viable farming unit.

ISSUE 4: Building appearance	PRINCIPLE: To ensure that appropriate attention to the location and design of development is applied.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
8.4.4.1 External appearance: No unpainted metal materials are to be used for wall or roof cladding.	8.4.4.1: Council may approve a building with an external appearance not meeting the Acceptable Solution where it can be demonstrated to blend with the existing environment.
8.4.4.2 Maximum Building Height: The maximum building height is 10m.	8.4.4.2: Council may approve a building not meeting the Acceptable Solution where it can be demonstrated that: <ul style="list-style-type: none"> (a) a higher building is necessary for the activity proposed; or (b) the design or the proposed building is enhanced.
8.4.4.3 Setbacks: The minimum setback standards are as follows: <ul style="list-style-type: none"> (a) Front setbacks 20m (b) Side and Rear Setbacks 10m 	8.4.4.3: Council may vary the Acceptable Solution where: <ul style="list-style-type: none"> (a) buildings, storage, parking and manoeuvring areas are setback a sufficient distance to ensure that visual intrusion is minimised; and (b) a plan is submitted which demonstrates that adequate visual screening can be provided.

ISSUE 5: Forestry Operations	PRINCIPLE: To ensure that use or development for forestry operations is undertaken in an environmentally responsible manner.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
<p>8.4.5.1 Forestry Operations: Council must approve forestry operations where:</p> <ul style="list-style-type: none"> (a) a forest practices plan has been prepared in accordance with the <i>Forest Practices Act 1985</i>; and (b) all relevant Acceptable Solutions within the Scheme are complied with, especially with respect to: <ul style="list-style-type: none"> (i) protecting water quality; and (ii) noise/sound pressure levels; and (iii) atmospheric emissions; and (iv) use or development near sensitive uses; and (v) riparian vegetation and water quality; and (vi) road and access construction; and (vii) minimum attenuation distances; and (c) no environmental values are identified in the site analysis plan; and (d) all other relevant provisions within the Scheme are met. <p>Forestry operations are not subject to the provisions of Schedule 9 and 10 of the Scheme.</p>	<p>8.4.5.1: Council may approve forestry operations that do not meet the Acceptable Solution where:</p> <ul style="list-style-type: none"> (a) a forest practices plan has been prepared in accordance with the <i>Forest Practices Act 1985</i>; and (b) no environmental nuisance would likely arise for neighbouring properties; and (c) appropriate mechanisms and systems have been identified to address water quality, vegetation management and local amenity; and (d) strategies have been identified to protect any environmental values identified; and (e) all relevant provisions of the Scheme are met.

ISSUE 6: Use or development near Organic Farms	PRINCIPLE: Farming practices near organic farms need to be carefully managed to avoid impacting adversely on the ability of organic farmers to operate their business.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
<p>8.4.6.1 Use or development near Organic Farms: Use or development within 1km radius of organic farms or farms holding transition to organic certification status must be approved where it is demonstrated by a suitably qualified person that the risk posed by agricultural uses to the nearest organic farms or farms holding transition to organic certification status will be contained within the subject site.</p>	<p>8.4.6.1: Council may approve an application for use or development not meeting the Acceptable Solution where it can be demonstrated that no organically certified farm or farm holding transition to organic certification status is impacted adversely.</p>

ISSUE 7: GM Crops	PRINCIPLE: Genetically Modified (GM) Crops are not to be planted in the planning scheme area.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
8.4.7.1 GM Crops: GM crops are prohibited.	8.4.7.1: GM crops are prohibited.

8.5 Schedules to apply in the Primary Industries Zone

8.5.1 The following schedules must be adhered to with respect to use or development in the Primary Industries Zone

- Schedule 1 - Environmental Management
- Schedule 2 - Heritage
- Schedule 3 - Road Asset and Access
- Schedule 4 - Car Parking and Bicycles
- Schedule 5 - Waterways, Wetlands and the Coastal Area
- Schedule 6 - Attenuation Distances
- Schedule 7 - Bushfire Prone Areas
- Schedule 8 - Signs
- Schedule 9 - Environmental Weeds
- Schedule 10 - Protected Vegetation
- Schedule 11 - Potentially Contaminated Lands
- Schedule 12 - Telecommunications Infrastructure
- Schedule 13 - Isolated Settlements
- Schedule 14 – Area Desired Future Character Statement Schedule*
- Schedule 15 – Multi-Unit Housing Schedule**.

(*Am.2006-5 g.12/9/07)

(**Am.2006-11 g.12/9/07)

9.0 Environmental Management Zone

9.1 Objectives of the Environmental Management Zone

9.1.1 The Environmental Management Zone incorporates areas identified as having specific environmental values worthy of conservation as shown on the Scheme plans.

9.1.2 The objectives of the Environmental Management Zone are to:

- (a) provide for the protection and management of natural and cultural resources including cultural heritage, natural heritage, scenic landscapes, fragile landforms, water catchments, the coastal area and areas of recreational value;
- (b) prevent urban sprawl by not allowing ribbon residential development between townships; and
- (c) allow use or development that is compatible with these values.

9.2 Desired Future Character Statements and Strategies

9.2.1 The values associated with this zone and the accompanying strategies are described below:

Desired Future Character Statement	Strategy
DFCS1: Physical resources of coastal landforms, estuaries, the intertidal zone, lagoons, wetlands, waterways and mobile landforms are of significance.	S1: To protect these areas by regulating use or development.
DFCS2: To retain biological values of coastal and hinterland vegetation communities, native forests and grasslands, wildlife habitats and ecological processes.	S2: Vegetation clearance is to be controlled to prevent erosion, protect water quality in waterways and wetlands by acting as a pollution filter, assist in land stabilisation and protect scenic and visual amenity.
DFCS3: Cultural associations with both traditional ownership and use by Aboriginal people and the history of European settlement will be preserved.	S3: Aboriginal and European heritage are identified and protocols for investigation of potential sites defined.
DFCS4: Landscape and scenic features of beaches, coastal and inland hills and mountains, estuaries, lagoons, headlands and coastal vegetation will be conserved.	S4: Significant landscapes are protected in the Scheme in accordance with the document Planning Guidelines for Urban Skylines and Hillfaces 2000 prepared by Department of Primary Industries, Water and Environment (2000).
DFCS5: A range of compatible recreation activities dependent upon coastal resources and hinterland reserves which do not adversely impact on the environment will be provided.	S5: To implement the recommendations of the Recreation, Sport and Open Space Plan prepared by Jeavons (1997).
DFCS6: Stream flows and quality within watercourses are to be maintained to protect biodiversity.	S6: Stream flows will be maintained in the planning scheme area's perennial flowing waterways and be managed consistent with any existing catchment management plans including the North West Bay River Catchment Management Plan (1999). Water quality is to be protected by minimising all works along waterways.

DFCS7: Mobile landforms above and below low water mark are not to be developed in a manner likely to disrupt or alter natural geomorphic processes.	S7: Beaches, dunes, sand ridges, dune swales, coastal wetlands and other mobile landforms are not to be used or developed in a manner that would interfere with the natural coastal processes of erosion, deposition, littoral drift and inshore current flows. Geological and geomorphological features are to be protected.
DFCS8: New point or diffuse discharges into waterways or wetlands are to be adequately controlled.	S8: No new point or diffuse discharges allowed unless it can be demonstrated that discharges would not prejudice the achievement of water quality objectives set out in the State Policy on Water Quality Management 1997.
DFCS9: Development upon land within Adventure Bay in the vicinity of Fluted Cape is to be carefully managed to avoid unnecessary impacts on the landscape values of the area and significant wildlife habitats.	S9: Minimal development is to occur beyond the East Cove caravan park and must be sited below the 30m contour AHD and be capable of being screened by existing vegetation from the water and other vantage points in Adventure Bay.
DFCS 10: Kingston beach and its foreshore is to be protected for recreational and leisure purposes.	S10: All new development will have regard to the existing beach users and seek to avoid disruption of these activities. A public jetty promoting the beach to a wider range of users is to be encouraged.
DFCS 11: Whitewater Creek and its corridor is a significant focal point for Spring Farm.*	S11: The environmental and recreation values of Whitewater Creek are to be enhanced through implementation of a restoration plan through Spring Farm and this area is to be retained as public open space.

*PSA 2012-3 g. 26/12/2013

9.3 Table of Use Classes

9.3.1 Planning permit required Use Classes in this zone are:

- Environmental Protection
- Recreation
- Residential
- Utilities
- Business and Civic
- Primary Industries

9.3.2 Prohibited Use Classes in this zone are:

- Industrial

9.4 Standards for Use or Development in the Environmental Management Zone

9.4.1 Standards for Use or Development in the Environmental Management Zone

ISSUE 1: Controls applying to Use Classes that are permissible.	PRINCIPLE: To ensure that all permissible use or development is compatible with the objectives of the Environmental Management Zone.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
9.4.1.1 Use or Development in the Environmental Management Use Class: All applications for use or development must meet all the relevant Acceptable Solutions.	9.4.1.1: Council may approve an application for use or development not meeting the Acceptable Solution provided all relevant provisions of the Scheme are met.
9.4.1.2 Use or development in the Residential Use Class: <ul style="list-style-type: none"> (a) All applications for use or development must be considered under the Alternative Solution except where (b) applies. (b) A dwelling is a permitted use or development on title SP 141025, 374 Nebraska Road, Killora. 	9.4.1.2: Council may approve an application for use or development (other than multi-unit housing which is prohibited), not meeting the Acceptable Solution where it can be demonstrated that: <ul style="list-style-type: none"> (a) the application will not prejudice the zone objectives or applicable desired future character statements; and (b) the following requirements are met: <ul style="list-style-type: none"> (i) all buildings are to be located within a building envelope located where there is the least disturbance to environmental values on the site; and (ii) less than 20% of the site area is to be used for buildings, access roads, parking areas and associated infrastructure; and (iii) the application is accompanied by an environmental management plan for the whole site, setting out measures to be put in place to protect flora and fauna habitats, riparian areas, any environmental values identified as part of a site analysis, and measures to be used to mitigate adverse environmental impacts; and (c) the provisions contained in Part 9 of the Scheme are addressed with respect to <ul style="list-style-type: none"> (i) subdivision; and (ii) provision of utilities; and (iii) external appearance; and (iv) setbacks; and (d) the provisions contained in Part 5 of the Scheme are addressed with

	<p>respect to:</p> <ul style="list-style-type: none"> (i) energy efficiency; and (ii) building height; and (iii) home occupation; and <p>(e) the application does not cause or contribute to ribbon development; and</p> <p>(f) all relevant provisions of the Scheme are met.</p>
<p>9.4.1.3 Use or development in the Business and Civic Use Class: All applications for use or development must be considered under the Alternative Solution.</p>	<p>9.4.1.3: Council may approve an application for use or development not meeting the Acceptable Solution where it can be demonstrated that:</p> <ul style="list-style-type: none"> (a) the application will not prejudice the zone objectives or applicable desired future character statements; and (b) the application is not inconsistent with the transport strategies defined in Part 2 of the Scheme; (c) in the case of use or development that is to provide retail services this particular service is needed by the community and is not more appropriately provided within the Business and Civic Zone; and (d) all relevant provisions of the Scheme are met.

9.4.1.4 Use or development in the Primary Industries Use Class:

- (a) Council must approve applications for use or development where:
 - (i) the use or development is a necessary and integral element of a farm management plan; and
 - (ii) no impact on environmental values will occur; and
 - (iii) all relevant Acceptable Solutions within the Scheme are met.
- (b) Forestry operations must be assessed under the Alternative Solution.

9.4.1.4:

- (a) Council may approve an application for use or development not meeting the Acceptable Solution (other than GM crops) provided:
 - (i) where environmental values are impacted a strategy to minimise these impacts is provided by a suitably qualified person; and
 - (ii) all other relevant provisions of the Scheme are met.
- (b) Council may approve forestry operations where:
 - (i) a forest practices plan has been prepared in accordance with the *Forest Practices Act 1985*; and
 - (ii) no environmental nuisance would likely arise for neighbouring properties; and
 - (iii) appropriate mechanisms and systems have been identified to address water quality, vegetation management and local amenity, and
 - (iv) strategies have been identified to protect any environmental values identified; and
 - (v) all relevant provisions of the Scheme are met.

9.4.1.5 Use or development in the Utilities Use Class: Council must approve an application for use or development where:

- (a) the use or development is a necessary and integral element of an existing use or development; and
- (b) all relevant Acceptable Solutions within the Scheme are met.

9.4.1.5: Council may approve an application for use or development not meeting the Acceptable Solution where it can be demonstrated that:

- (a) the application will not prejudice the zone objectives or applicable desired future character statements and strategies; and
- (b) no environmental nuisance will result; and
- (c) all relevant provisions of the Scheme are met.

9.4.1.6 Use or development in the Recreation Use Class: Council must approve use or development where:

- (a) use or development is directly associated with the management or utilisation of existing recreational facilities such as golf courses, bowls clubs, sports fields and ovals and the like; and
 - (b) the proposed use or development is an integral element of an overall plan for the entire site; and
 - (c) all relevant Acceptable Solutions within the Scheme are met.
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9.4.1.6: Council may approve use or development not meeting the Acceptable Solution where it can be demonstrated that:

- (a) the application will not prejudice the zone objectives or applicable desired future character statements and strategies; and
- (b) no environmental nuisance will result; and
- (c) all relevant provisions of the Scheme are met.

ISSUE 2: Subdivision	PRINCIPLE: To ensure that subdivision and the opportunities for development are consistent with the broader zone objectives. To facilitate conservation on private land by providing subdivision benefits. Lots are also to meet minimum infrastructure requirements.	
Acceptable Solution (Deemed to Comply)		Alternative Solution (Requires Justification)
9.4.2.1* Subdivision: Council must approve an subdivisions where:		9.4.2.1:* Council may approve an application for a subdivision not meeting the Acceptable Solution in the following circumstances:
(a) the lot(s) facilitate shore-based marine farming provided: <ul style="list-style-type: none"> (i) evidence is provided of a current marine farming licence issued pursuant to the <i>Living Marine Resources Management Act 1995</i>; and (ii) a permit has been issued for the use of development of the site; and (iii) it is demonstrated that the configuration of the lot(s) is necessary to meet the requirements of the approved use or development; and (iv) each lot must have frontage of not less than 6 metres to a road; and (v) complies with all relevant Acceptable Solutions; (b) Subdivision for any other purpose: All applications must be assessed under the Alternative Solution.		(a) there are no Alternative Solutions for shore-based marine farming; (b) for all other applications the following requirements apply: <ul style="list-style-type: none"> (i) the site must have a minimum size of 20 hectares and meet the requirements set out in Table 9.1; and (ii) an inventory and site analysis for the whole of the site must be completed that identifies, maps and documents all environmental values, and identifies and assesses potential impacts and threatening processes; and (iii) an environmental management plan must be prepared for the balance lot that includes a comprehensive list of actions and outcomes, with recognition given to past conservation works and performance, including timeframes to protect, maintain and enhance the identified environmental values, justified against best-practice guidelines together with any relevant strategies which result in measurable and ongoing conservation outcomes as per Table 9.1; and

(*Am.2005-4 g. 21/12/06)

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- (iv) the environmental values on the balance lot are to be protected through a covenant to be attached to the title, or a private reserve under the *Nature Conservation Act 2002*, or an agreement under Part 5 of the Act, or dedication as a public reserve; and
 - (v) an agreement under Part 5 of the Act is to be registered on the title of the balance lot to the effect that no further subdivision of this lot is to occur; and
 - (vi) each new lot must contain a building envelope designating the area in which buildings, including outbuildings are to be located. All building envelopes are to be placed in areas where there will be the least disturbance to environmental values; and
 - (vii) if the site is within two or more separate existing titles, the balance lot is to be shown as a single amalgamated lot on the final plan of subdivision; and
 - (viii) the layout and location of any lots created through subdivision is to be in accordance with Table 9.2; and
 - (ix) the use to which each lot is to be put is specified and evidence is provided that each lot is suitable for the proposed purpose and meets relevant Scheme standards; and
 - (x) each lot must have frontage of not less than 4 metres to a road; and
 - (xi) where reticulated power is provided it must be located below ground level within the subdivision unless loss of environmental values from trenching necessitates above ground installation; and
 - (xii) each new lot must be serviced by an aerated wastewater treatment system or other system approved by Council; and
 - (xiii) all relevant provisions of the Scheme are met.

*Am.2005-4 g. 21/12/06

Table 9.1*

Conservation Outcome	Outcome	Lot yield	Maximum number of lots	% of site to be subdivided – includes internal roads and easements
Very High	<p>Must achieve either of the following outcomes:</p> <ul style="list-style-type: none"> (a) Protects a population of threatened species (other than State listed as 'rare') as defined by the <i>Threatened Species Protection Act 1995</i>; or (b) Protects 20 hectares or more of vegetation communities in 'good condition' listed within Schedule 10 of the Scheme; <p>and under (a) or (b) must also achieve:</p> <ul style="list-style-type: none"> • the comprehensive management of the balance lot for a minimum period of 20 years; and • the removal of any private timber reserve on the balance lot. 	1 additional lot/15 ha	10 lots + balance	5% (Max. 10ha)
High	<p>Must achieve either of the following outcomes:</p> <ul style="list-style-type: none"> (a) Protects 10 hectares or more of vegetation communities in 'good condition' listed within Schedule 10 of the Scheme; or (b) Protects a population of an existing threatened species or threatened species habitat; <p>and under either (a) or (b) must also achieve:</p> <ul style="list-style-type: none"> • the comprehensive management of the balance lot for a minimum period of 15 years; and • the removal of any private timber reserve on the balance lot. 	1 additional lot/ 20ha	5 lots + balance	10% (Max. 8ha)
Moderate	<p>Must achieve either of the following outcomes:</p> <ul style="list-style-type: none"> • two of (a) or • one of (a) and two of (b): <p>(a)</p> <ul style="list-style-type: none"> • affords better protection of existing threatened species habitat; • affords better protection of a vegetation community listed within Schedule 10 of the Scheme; • provides a logical extension of an existing reserve system; • affords better protection of a non-threatened vegetation community in 'good condition'; • affords better protection of fauna of conservation significance; • affords better protection of the coastal area; • affords better protection of any Class 1, 2, 3 or 4 waterway. 	n/a	1 + balance	20% (Max. 2ha)

	<p>□(b)</p> <ul style="list-style-type: none"> • protection of existing ridgelines/skylines where no dwellings are currently visible • enhanced public access to footways, horse trails, Crown reserves and the like; • removal of any private timber reserve on the balance lot; • substantial commencement of a rehabilitation plan for a logical extension of threatened species habitat or a threatened vegetation community that exists in the local area; • substantial commencement of eradication of all declared and environmental weeds or pest animals for the whole of the site; • substantial commencement of a rehabilitation plan for a Class 1, 2, 3 or 4 waterway. <p>and under (a) or (b) must also achieve:</p> <ul style="list-style-type: none"> • the comprehensive management of the balance lot for a minimum of 10 years. <p>*Am.2005-4 g. 21/12/06</p>			
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Table 9.2*

Location	(a) New lots clustered together	(b) New lots adjoining or abutting towns or settlements	(c) Land not adjoining or abutting towns or settlements
A site partially or wholly inside the coastal area or within 1km of HWM (whichever is the greater horizontal distance from HWM)	Where more than 1 new lot is created lots must be clustered together and the requirements of (b) or (c) as applicable must be met.	<ul style="list-style-type: none"> • Where the site abuts or adjoins a town or settlement all new lots must be located adjoining that town or settlement. • Where the site does not abut a town or settlement refer to column (c) 	<p>New lots are to meet the following requirements:</p> <ul style="list-style-type: none"> • no new lots are to create or contribute to ribbon development; and • no new lots are to create unrelated clusters of residential development. <p>Notwithstanding the above, Council may allow new lots to be located within 1km of HWM provided:</p> <ul style="list-style-type: none"> • the 'Very High' or 'High' conservation outcomes set out in Table 9.1 are met; and • no building envelopes are visible from existing roads or public reserves; and • the objectives set out in Clause 9.1.2 of the Scheme are demonstrated to have been achieved; and • it is demonstrated that any new lots are located as far as is practicable from HWM, given the environmental values identified on the site.

A site outside the coastal area and or further than 1km from HWM (whichever is the greater horizontal distance from HWM) (*Am.2005-4 g. 21/12/06)	Where more than 1 new lot is created lots must be clustered together and the requirements of (b) must be met.	All new lots must abut a town or settlement, unless: <ul style="list-style-type: none"> no town or settlement exists on adjoining land; or such a result would impact adversely on the environmental values identified. and in either case must not create or contribute to ribbon development as viewed from existing roads.	N/A
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9.4.2.2 Boundary Adjustments and Minor Subdivisions:

Council may approve minor boundary adjustments or subdivisions for the following purposes:

- minor boundary adjustments to existing titles provided no additional lots are created; or
- the provision of public services and utilities; or
- to provide additional public access or public open space.

9.4.2.2: None.

Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
9.4.2.3 Provision of Utilities: All applications for use or development must meet the Acceptable Solutions contained in Issue 5 of Schedule 1 of the Scheme with respect to: <ol style="list-style-type: none"> effluent disposal; stormwater discharge; and water reticulation. 	9.4.2.3: Council may approve an application for use or development not meeting the Acceptable Solution with respect to effluent disposal if the Alternative Solution in Issue 5 of Schedule 1 of the Scheme is met. For stormwater discharge and water reticulation there is no Alternative Solution and the Acceptable Solution must be met.

ISSUE 3: Building appearance		PRINCIPLE: To ensure that development is visual compatible with surrounding use or development and maintains the existing amenity.	
Acceptable Solution (Deemed to Comply)		Alternative Solution (Requires Justification)	
9.4.3.1 External appearance: No unpainted metal materials are to be used for wall or roof cladding.		9.4.3.1: Council may approve a building with an external appearance not meeting the Acceptable Solution where it can be demonstrated to blend with the existing environment.	
9.4.3.2 Maximum Building Height: The maximum building height is 8m.		9.4.3.2: Council may approve development not meeting the Acceptable Solution where it can be demonstrated that: <ul style="list-style-type: none"> (a) the building will not cause overshadowing or significantly detract from the streetscape; and (b) the proposed building design is enhanced. 	
9.4.3.3 Setbacks: The minimum setback standards are as follows: <ul style="list-style-type: none"> (a) Front setbacks 20m (b) Side and Rear Setbacks 10m 		9.4.3.3: Council may vary any setbacks where: <ul style="list-style-type: none"> (a) buildings, storage, parking and manoeuvring areas are setback a sufficient distance to ensure that visual intrusion is minimised; and (b) a plan is submitted which demonstrates that adequate visual screening can be provided. 	

ISSUE 4: Use or development near Organic Farms		PRINCIPLE: Farming practices near organic farms need to be carefully managed to avoid impacting adversely on the ability of organic farmers to operate their business.	
Acceptable Solution (Deemed to Comply)		Alternative Solution (Requires Justification)	
9.4.4.1 Use or development near Organic Farms: Use or development within 1km radius of organic farms or farms holding transition to organic certification status must be approved where it is demonstrated by a suitably qualified person that the risk posed by agricultural uses to the nearest organic farms or farms holding transition to organic certification status will be contained within the subject site.		9.4.4.1: Council may approve an application for use or development not meeting the Acceptable Solution where it can be demonstrated that no organically certified farm or farm holding transition to organic certification status is impacted adversely.	

ISSUE 5: Landscape and visual values		PRINCIPLE: Landscape and visual values are to be protected	
Acceptable Solution (Deemed to Comply)		Alternative Solution (Requires Justification)	
9.4.5.1 Skylines and exposed slopes: No development is to be located on a skyline, ridgeline or exposed slope.		9.4.5.1: Development on prominent skylines, ridgelines or exposed slopes must be designed and sited to avoid, remedy or mitigate any adverse effects on significant public views.	

ISSUE 6: GM Crops		PRINCIPLE: Genetically Modified (GM) Crops are not to be planted in the planning scheme area.	
Acceptable Solution (Deemed to Comply)		Alternative Solution (Requires Justification)	
9.4.6.1 GM Crops: GM crops are prohibited.		9.4.6.1: GM crops are prohibited.	

9.5 Schedules to Apply in the Environmental Management Zone

9.5.1 The following schedules must be adhered to with respect to use or development in the Environmental Management Zone.

- Schedule 1 - Environmental Management
- Schedule 2 - Heritage
- Schedule 3 - Road Asset and Access
- Schedule 4 - Car Parking and Bicycles
- Schedule 5 - Waterways, Wetlands and the Coastal Area
- Schedule 6 - Attenuation Distances
- Schedule 7 - Bushfire Prone Areas
- Schedule 8 - Signs
- Schedule 9 - Environmental Weeds
- Schedule 10 - Protected Vegetation
- Schedule 11 - Potentially Contaminated Lands
- Schedule 12 - Telecommunications Infrastructure
- Schedule 13 - Isolated Settlements
- Schedule 14 – Area Desired Future Character Statement Schedule*
- Schedule 15 – Multi-Unit Housing Schedule**.

(*Am.2006-5 g.12/9/07)

((**Am.2006-11 g.12/9/07)

10.0 Recreation Zone

10.1 Objectives of the Recreation Zone

10.1.1 The Recreation Zone incorporates areas within the Municipality identified as having specific recreational values worthy of conservation as shown on the Scheme plans.

10.1.2 The objectives of the Recreation Zone are to:

- (a) recognise the important community benefit of areas set aside for active recreation including sporting fields, golf courses and associated development;
- (b) identify areas which provide public access to the coastal zone, waterways or other significant environments for a range of active or passive recreation purposes including walking, mountain bike riding and horse riding; and
- (c) allow other use or development that is compatible with these values.

10.2 Desired Future Character Statements and Strategies

10.2.1 The values associated with this zone and the accompanying strategies are described below:

Desired Future Character Statement	Strategy
DFCS1: Areas will be set aside for active recreational purposes, particularly organised sports including but not limited to sports ovals, practice facilities and associated buildings and structures such as clubrooms, barbeques and amenities held in public ownership.	S1: Areas have been set aside for this purpose and improvement of existing facilities is to be promoted.
DFCS2: Higher order areas of Recreation zoned land will serve district/subregional needs.	S2: Higher order areas serving district/subregional recreation needs are provided at Dru Point reserve, Margate and at Taroona Park.
DFCS3: Local recreational opportunities will be of a scale attractive and accessible to existing and future residential development.	S3: All households in Residential zoned areas shall be able to access Recreation zoned land within a 500m radius and with a minimum area of 0.5 ha.
DFCS4: Substantial tracts of privately held land continue to provide ongoing public access, particularly with respect to golf.	S4: North West Bay Golf Course and Kingston Beach Golf Course provide these facilities and are zoned accordingly.
DFCS5: Recreation zoned land taken through subdivision levies will improve local open space networks.	S5: Recreation zoned land taken through subdivision levies shall be of a type useable and amenable to a range of users and provide experiences not available in the area taking into account the recommendations contained in the document Recreation, Sport and Open Space prepared by Jeavons (1997).
DFCS6: Larger areas of land zoned Recreation should interconnect with other similar areas.	S6: Any parcel of land greater than 10ha is to be interconnected with other parcels of land zoned Recreation.

DFCS7: Council will continue to provide and improve the availability of experiences for residents and visitors alike of more pristine and significant environments for passive recreational purposes.	S7: Areas such as Boronia Hill, Albion Heights, Tinderbox Peninsula and other similar reserves will increasingly play an important role in providing public access to passive recreational pursuits consistent with the recommendations contained in the document Recreation, Sport and Open Space prepared by Jeavons (1997).
DFCS8: Public access locations to the coastal area will be carefully managed.	S8: The number of public access locations to the coastal zone shall be rationalised to reduce environmental disturbance where ever possible.
DFCS9: The reserve at Denison Street, Kingston is to remain a parkland providing passive recreational opportunities whilst retaining its heathland characteristics.	S9: The Denison Street reserve is to be developed into an attractive parkland by undertaking the following steps: <ul style="list-style-type: none"> (a) continuing a regular slashing regime; (b) securing the site through the use of fencing; (c) mapping and protecting all orchid communities through a plan of management; (d) better defining walking trails; (e) retaining and promoting natural regeneration of local eucalypt species for canopy cover; (f) preparing and implementing a weed management programme; and (g) developing a stormwater runoff strategy in conjunction with (f) above.
DFCS10: Land within the coastal area, especially Crown Coastal Reserves are to be protected.	S10: Residential development is to be avoided, especially within the coastal area.

10.3 Table of Use Classes

10.3.1 Planning permit required Use Classes in this zone are:

- Environmental Protection
- Recreation
- Utilities
- Business and Civic
- Primary Industries

10.3.2 Prohibited Use Classes in this zone are:

- Industrial
- Residential

10.4 Standards for Use or Development in the Recreation Zone

10.4.1 Standards for Use or Development in the Recreation Zone

ISSUE 1: Controls applying to Use Classes that are permissible.		PRINCIPLE: To ensure that all permissible use or development is compatible with the objectives of the Recreation Zone.
Acceptable Solution (Deemed to Comply)		Alternative Solution (Requires Justification)
10.4.1.1 Use or Development in the Recreation Use Class: All applications for use or development must meet all the relevant Acceptable Solutions within the Scheme.		10.4.1.1: Council may approve an application for use or development not meeting the Acceptable Solution provided all relevant provisions of the Scheme are met.
10.4.1.2 Use or development in the Business and Civic Use Class: All applications for use or development must be considered under the Alternative Solution.		10.4.1.2: Council may approve an application for use or development not meeting the Acceptable Solution where it can be demonstrated that: <ul style="list-style-type: none"> (a) the application will not prejudice the zone objectives or applicable desired future character statements; and (b) the proposal is not inconsistent with the transport strategies defined in Part 2 of the Scheme; (c) in the case of use or development that is to provide retail services this particular service is needed by the community and is not more appropriately provided within the Business and Civic Zone; and (d) all relevant provisions of the Scheme are met.
10.4.1.3 Use or development in the Primary Industries Use Class: Council must approve applications for use or development where: <ul style="list-style-type: none"> (a) the use or development is a necessary and integral element of a farm management plan; and (b) no impact on environmental values will occur; and (c) all relevant Acceptable Solutions within the Scheme are met. 		10.4.1.3: Council may approve an application for use or development not meeting the Acceptable Solution provided: <ul style="list-style-type: none"> (a) the application will not prejudice the zone objectives or applicable desired future character statements; and (b) where environmental values are impacted a strategy to minimise these impacts is provided by a suitably qualified person; and (c) no environmental nuisance for existing sensitive uses would likely result; and (d) all relevant provisions of the Scheme are met.

<p>10.4.1.4 Use or development in the Environmental Protection Use Classes: Council must approve use or development where:</p> <ul style="list-style-type: none"> (a) no impact on environmental values identified will occur; and (b) all relevant Acceptable Solutions within the Scheme are met. 	<p>10.4.1.4: Council may approve an application for use or development not meeting the Acceptable Solution where it can be demonstrated that:</p> <ul style="list-style-type: none"> (a) where environmental values are impacted, a strategy to minimise these impacts is provided by a suitably qualified person; and (b) all relevant provisions of the Scheme are met.
<p>10.4.1.5 Use or development in the Utilities Use Class: Council must approve an application for use or development where:</p> <ul style="list-style-type: none"> (a) the use or development is a necessary and integral element of an existing use or development; and (b) all relevant Acceptable Solutions within the Scheme are met. 	<p>10.4.1.5: Council may approve an application for use or development not meeting the Acceptable Solution where it can be demonstrated that:</p> <ul style="list-style-type: none"> (a) the proposal will not prejudice the zone objectives or applicable desired future character statements and strategies; and (b) no environmental nuisance will result; and (c) all relevant provisions of the Scheme are met.

ISSUE 2: Subdivision and Utility Provision	PRINCIPLE: To ensure that subdivision and the opportunities for use or development this creates are consistent with the broader zone objectives. Lots are also to meet minimum infrastructure requirements.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
<p>10.4.2.1 Subdivision: Council must approve a subdivision where:</p> <p>(a) In the case of shore-based marine farming:</p> <ul style="list-style-type: none"> (i) evidence is provided of a current marine farming licence issued pursuant to the <i>Living Marine Resources Management Act 1995</i> or a licence issued pursuant to the <i>Inland Fisheries Act 1995</i>; and (ii) a concurrent proposal is submitted for the use or development of the land; and (iii) it is demonstrated that the configuration of the lot(s) is necessary to meet the requirements of the use or development; and (iv) the lot(s) maintain frontage to a road of a width not less than 6m; <p>(b) In all other situations: None. Subdivision for any other purpose than (a) must be assessed under the Alternative Solution.</p>	<p>10.4.2.1: Council may approve a subdivision in the following circumstances:</p> <p>(a) None.</p> <p>(b) Where:</p> <ul style="list-style-type: none"> (a) the lot(s) will not impair the continuing use or development of the parent title; and (b) no obligation to clear land for fire management or access outside the area to be subdivided is created; and (c) frontage to a road of a width not less than 4m is provided; and (d) all relevant provisions of the Scheme are met.
<p>10.4.2.2 Boundary Adjustments and Minor Subdivisions: Council may approve minor boundary adjustments or subdivisions for the following purposes:</p> <ul style="list-style-type: none"> (a) minor boundary adjustments to existing titles provided no additional lots are created; or (b) the provision of public services and utilities; or (c) to provide additional public access or public open space. 	<p>10.4.2.2: None.</p>

<p>10.4.2.3 Provision of Utilities: All applications for use or development must meet the Acceptable Solutions contained in Issue 5 of Schedule 1 of the Scheme with respect to:</p> <ul style="list-style-type: none"> (a) effluent disposal; (b) stormwater discharge; and (c) water reticulation. 	<p>10.4.2.3: Council may approve an application for use or development not meeting the Acceptable Solution with respect to effluent disposal if the Alternative Solution in Issue 5 of Schedule 1 of the Scheme is met.</p> <p>For stormwater discharge and water reticulation there is no Alternative Solution and the Acceptable Solution must be met.</p>
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<p>ISSUE 3: Building appearance and siting</p>		<p>PRINCIPLE: To ensure that building appearance and siting is visually compatible with surrounding development and maintains the existing amenity.</p>	
<p>Acceptable Solution (Deemed to Comply)</p>		<p>Alternative Solution (Requires Justification)</p>	
<p>10.4.3.1 External appearance: No unpainted metal materials are to be used for wall or roof cladding.</p>		<p>10.4.3.1: Council may approve a building with an external appearance not meeting the Acceptable Solution where it can be demonstrated to blend with the existing environment.</p>	
<p>10.4.3.2 Maximum Building Height: The maximum building height is 8m.</p>		<p>10.4.3.2: Council may approve a building not meeting the Acceptable Solution where it can be demonstrated that:</p> <ul style="list-style-type: none"> (a) the building will not cause overshadowing or significantly detract from the streetscape; and (b) the proposed building is enhanced. 	
<p>10.4.4.3 Setbacks: The minimum setback standards are as follows:</p> <ul style="list-style-type: none"> (a) Front setbacks 10m (b) Side and Rear Setbacks 3m 		<p>10.4.4.3: Council may vary any setbacks where:</p> <ul style="list-style-type: none"> (a) buildings, storage, parking and manoeuvring areas are setback a sufficient distance to ensure that visual intrusion is minimised; and (b) a plan is submitted which demonstrates that adequate visual screening can be provided. 	

ISSUE 4: Landscaping	PRINCIPLE: To enhance the appearance of use or development, separate incompatible activities, assist in controlling run off and erosion, contribute to a reduction in noise levels and define pedestrian and vehicle circulation systems.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
10.4.4.1 Landscaping: The landscaping plan is to be prepared by a suitably qualified person showing how it is proposed to: <ul style="list-style-type: none"> (a) provide screening for use or development; and (b) separate incompatible activities; and (c) assist in the control of runoff and erosion. 	10.4.4.1: Council may approve an application for use or development not meeting the Acceptable Solution where it is demonstrated that the principles specified in Issue 4 are achieved.

10.5 Schedules to Apply in the Recreation Zone

10.5.1 The following schedules must be adhered to with respect to use or development in the Recreation Zone.

Schedule 1 - Environmental Management
 Schedule 2 - Heritage
 Schedule 3 - Road Asset and Access
 Schedule 4 - Car Parking and Bicycles
 Schedule 5 - Waterways, Wetlands and the Coastal Area
 Schedule 6 - Attenuation Distances
 Schedule 7 - Bushfire Prone Areas
 Schedule 8 - Signs
 Schedule 9 - Environmental Weeds
 Schedule 10 - Protected Vegetation
 Schedule 11 - Potentially Contaminated Lands
 Schedule 12 - Telecommunications Infrastructure
 Schedule 13 - Isolated Settlements
 Schedule 14 – Area Desired Future Character Statement Schedule*
 Schedule 15 – Multi-Unit Housing Schedule**.

(*Am.2006-5 g.12/9/07)

(**Am.2006-11 g.12/9/07)

Schedules

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1.0 Environmental Management Schedule

1.1 Objectives of the Schedule

- 1.1.1 It is the purpose of the schedule to set out Scheme standards to allow for the sustainable use and development of land and resources in all zones through the protection of environmental values and avoidance of environmental hazard and nuisance.

1.2 Application of the Schedule

- 1.2.1 Use or development is to be undertaken in accordance with the following standards listed in Table S1.1 below.

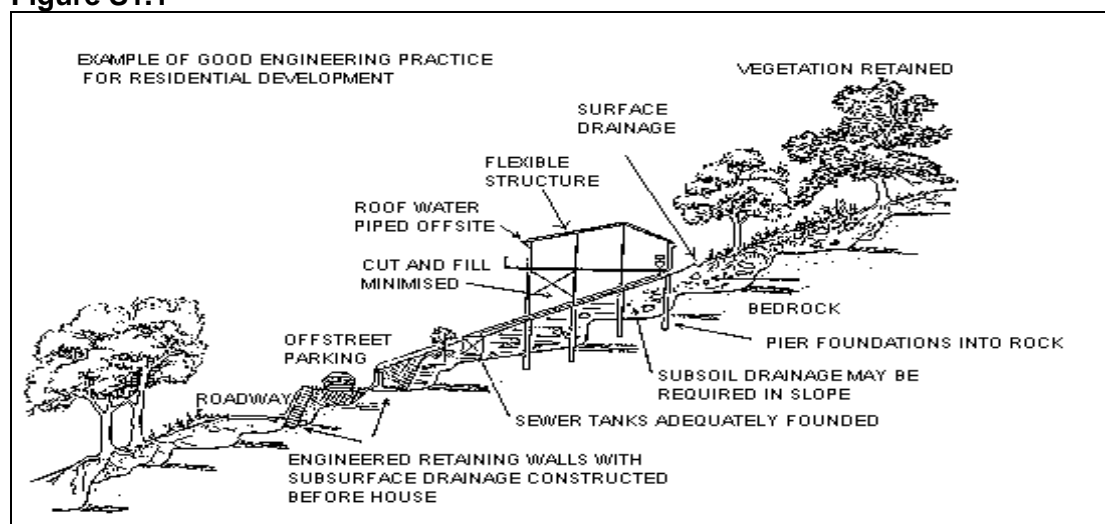
Table S1.1 Principles and Scheme Standards for Environmental Management Schedule

ISSUE 1: Environmental Impact	PRINCIPLE: To protect the environmental and visual qualities of land units through ensuring that buildings, structures and other works are located, constructed and subsequently managed/maintained so as to minimise impact.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
<p>1.2.1.1 Slopes: Buildings and access roads must be on slopes of less than 11 degrees (1:5 or 20%).*</p>	<p>1.2.1.1: Use or development may occur on slopes greater than 1 in 5 provided it can be demonstrated that:</p> <ul style="list-style-type: none"> (a) site works will not cause erosion, and (b) access roads are on a slope of less than 1 in 5, and (c) there is adequate on site waste disposal; (d) cut and fill is minimised, and (e) development will not be subject to landslip or foundation failure; and (f) the visibility of material used for the access road is considered acceptable

(*Am.B4g.11/4/05)

and should be substantially in accordance with the principles shown in Figure S1.1.

Figure S1.1



ISSUE 2: Natural hazards	PRINCIPLE Areas of natural hazard will be avoided or suitable strategies to minimise risk applied.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
1.2.2.1 Avoidance of hazard: All applications for use or development is to <ul style="list-style-type: none"> (a) avoid being located within bushfire prone areas; and (b) have a floor level located above 3m (AHD) to minimise the risk of flooding; and (c) be located further than 30m measured horizontally from the furthest landbound extent of any dune or actively mobile land to minimise the risk of sand drift, erosion or shoreline recession; and (d) be located no less than 50m from a cliff edge; and (e) be located outside the 1 in 100 year flood limit of the local drainage catchment. 	1.2.2.1: Where an application for use or development is proposed that cannot meet the Acceptable Solution the plans will show how it is intended to: <ul style="list-style-type: none"> (a) minimise the effect of these hazards; and (b) avoid damage to or loss of buildings, structures, access roads or other works; and (c) prevent the effects of any hazard being increased; and (d) ensure the need for future engineering or remediation works is minimised.

ISSUE 3: Coastal processes	PRINCIPLE: To protect, maintain and/or enhance existing coastal processes and landforms.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
1.2.3.1 Use or Development on a mobile landform: There are no Acceptable Solutions for use or development upon land which is actively mobile or a frontal dune system.	1.2.3.1: Council may approve an application for use or development not meeting the Acceptable Solution where it is satisfied that no significant modification of any natural processes or significant increase in any requirements to protect use or development from such processes in the future will occur; and <ul style="list-style-type: none"> (a) it is for the purpose of protecting natural coastal processes or the natural and cultural values associated with the land from the effects of human related activities; or (b) is a proposed residential use or development infilling between residences in existence prior to October 1996 and is required to use all practicable methods to avoid modifying natural coastal processes or increasing the need for protection from such processes in the future; or (c) is a facility for a coastal dependent commercial, industrial or public purpose that cannot be located away from an actively mobile landform or frontal dune.*

(*Am.B4g.11/4/05)

ISSUE 4: Sea level rise and storm surge	PRINCIPLE: To avoid or mitigate the impacts of any potential rise in the level of the sea or ocean along the coast and inshore, particularly with respect to existing and future physical and social infrastructure.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
1.2.4.1 Use or development involving land with a “high risk” as defined in Table S1.2: All application for use or development must be considered under the Alternative Solution.	1.2.4.1: Where an application for use or development is proposed to be undertaken on any part of a site which has been classified under Table S1.2 as having a “high risk”, it shall be demonstrated to Council's satisfaction that: <ul style="list-style-type: none"> (a) hazard risk can be mitigated through an identification of structural or siting methods to be used to avoid damage to or loss of buildings and other works and which ensures that lives will not be placed at risk; and (b) works will not increase the level of risk of hazard for adjoining or nearby properties or items of infrastructure; (c) risk of water pollution from the storage or processing of dangerous goods and substances on the site can be mitigated; and (d) the need for future engineering or remediation works is minimised; and (e) existing environmental features are adequately protected.
1.2.4.2 Habitable rooms on land with a “moderate” risk of inundation/storm surge hazard: All application for use or development must be considered under the Alternative Solution.	1.2.4.2: Where it is proposed to erect a habitable building on any part of a site which has been classified in accordance with Table S1.2 as having a “moderate risk” it shall be demonstrated to Council that hazard risk can be mitigated through an identification of: <ul style="list-style-type: none"> (a) measures to be used to modify the hazard; and (b) structural or siting methods to be used to avoid damage to or loss of buildings and other works; and (c) methods to protect existing environmental features; <p>which ensure that lives will not be placed at risk whilst minimising the need for engineering or remediation works and is certified accordingly by a suitably qualified person.</p>

Table s1.2 Hazard Risk – Sea Level Rise/Storm Surge

Location	Level of risk
Within 30m measured horizontally of HWM and <3m above AHD	High
Between 30m and 100m measured horizontally of HWM and <3m above AHD	Moderate
Within 1000m of HWM measured horizontally and <3m above AHD	Low

ISSUE 5: Utilities	PRINCIPLE: All appropriate utilities shall be provided for proposed use or development.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
<p>1.2.5.1 Effluent disposal: Effluent disposal must be undertaken as follows:</p> <ul style="list-style-type: none"> (a) a connection to the reticulated sewerage system; or (b) where there is no reticulated system all waste water, other than stormwater, must be treated and retained within the property boundaries with a system that has received a Special Connection Permit issued by Council under the provisions of the Plumbing Regulations 1994; or (c) in the case of the following locations the Alternative Solution must be met: <ul style="list-style-type: none"> (i) Ferry Road, Kettering; (ii) Lynden Road, Bonnet Hill; (iii) Taronga Road, Taronga; (iv) Channel Highway, Bonnet Hill; (v) Channel Highway, Barretta and Electra; and (vi) Snug Tiers, Snug; or (d) where industrial or commercial wastes are proposed to be discharged to the reticulated sewerage system a Trade Waste Permit will be required. 	<p>1.2.5.1: Council may approve an application for use or development not meeting the Acceptable Solution where it is satisfied that:</p> <ul style="list-style-type: none"> (a) the lot(s) are capable of accommodating the use or development, where treatment and disposal of wastewater, other than stormwater, is contained within the property boundaries; and (b) the lot(s) are capable of utilising wastewater systems installed and operated in accordance with Onsite Domestic Wastewater Management Standard AS/NZS 1547:2000; and (c) the lot(s), where wastewater from subsequent dwellings or structures is to be treated by an aerated wastewater system (AWTS), have a minimum lot size of 1500 sq.m unless otherwise approved by Council's Senior Environmental Health Officer.
<p>1.2.5.2 Stormwater discharge: Stormwater must be discharged by either:</p> <ul style="list-style-type: none"> (a) a connection to a reticulated stormwater system; or (b) where a reticulated system is not available it must be demonstrated by a suitably qualified person that any discharge will not be an environmental nuisance or cause environmental harm under the provisions of EMPCA. 	<p>1.2.5.2: None.</p>

1.2.5.3: Water Reticulation: All new development shall be either:

- (a) connected to the Council reticulated water supply; or
- (b) where there is no reticulated water supply a potable private supply.

1.2.5.3: None.

ISSUE 6:

Avoiding Discharges

PRINCIPLE:

To maintain the sustainable management of surface water and groundwater resources by protecting or enhancing their qualities while allowing for sustainable development in accordance with the objectives of the State Policy on Water Quality Management 1997.

Acceptable Solution (Deemed to Comply)

Alternative Solution (Requires Justification)

1.2.6.1 New point source discharges: All applications for use or development involving new point source discharges must be considered under the Alternative Solution.

1.2.6.1: Council may approve new point source discharges only where appropriate methods of treatment or management are to be implemented to ensure that new point sources of discharge:

- (a) do not prejudice the achievement of water quality objectives;
- (b) do not give rise to pollution within the terms of the *Water Management Act 1999*, beyond the boundary of any attenuation zone set in accordance with clause 25 of the State Policy on Water Quality Management; and
- (c) are reduced to the maximum extent that is reasonable and practical having regard to best practice environmental management using accepted modern technologies;
- (d) meet emission limit guidelines published by the Board of Environmental Management in accordance with Clause 18 of the State Policy on Water Quality Management 1997; or where emission limit guidelines have not been published, as set by the Board of Environmental Management in accordance with Clause 19 of the State Policy on Water Quality Management 1997.

1.2.6.2 Emissions from diffuse sources: No emissions from diffuse sources such as stormwater or urban runoff into a waterway or the coastal area of a quality likely to be defined as a pollutant will be approved.

1.2.6.2: Council may permit the discharge of diffuse sources of untreated stormwater or urban runoff off-site provided it is satisfied that integrated stormwater management techniques are to be used and applied so that the water quality objectives of the receiving waters are not prejudiced.

ISSUE 7: Potential nuisance generators		PRINCIPLE: Environmental nuisance should be carefully managed.	
Acceptable Solution (Deemed to Comply)		Alternative Solution (Requires Justification)	
1.2.7.1 Noise/Sound Pressure Levels: Noise/Sound Pressure levels from activities or equipment related to use or development must not, at any time, exceed 5dB(A) above the background noise level when measured at the boundary with, or curtilage of, any sensitive use in separate ownership.		1.2.7.1: Council may allow higher noise emissions that those specified in the Acceptable Solutions where it can be demonstrated that noise levels from activities or equipment related to the proposed use or development will not cause an environmental nuisance under the provisions of EMPCA.	
1.2.7.2 Atmospheric Emissions: No emissions from activities or equipment related to the proposed use or development including odours and vibration can be detected by a person at the boundary with another property.		1.2.7.2: Council may allow emissions that exceed the Acceptable Solutions including odours and vibration measured at the boundary with another property where it can be demonstrated that emissions from activities or equipment related to the proposed use or development will not cause an environmental nuisance or environmental harm under the provisions of EMPCA.	
1.2.7.3 Loading/unloading and use of machinery: Where delivery of goods or use or machinery is proposed hours of operations shall be: Monday to Friday - 7am to 6pm Saturday - 8am to 6pm Sunday and gazetted Public holidays - 10am to 6pm		1.2.7.3: Council may permit a variation in the hours available for loading/unloading of goods or operation of machinery where it is demonstrated that no environmental nuisance shall result.	
1.2.7.4 Development near sensitive uses: The following minimum requirements apply: (a) flammable materials and other potentially hazardous materials shall not be stored within 50m of the common boundary with a sensitive use; (b) trees associated with intensive tree farming or plantation forestry are not planted within 100 m of adjoining residences.		1.2.7.4: Council may approve an application for use or development not meeting the Acceptable Solution provided existing amenity with respect to overshadowing, visual intrusion and risk or hazard is minimised.	
ISSUE 8: Soil and water management		PRINCIPLE: Effective soil and water management must be addressed prior to site disturbance occurring.	
Acceptable Solution (Deemed to Comply)		Alternative Solution (Requires Justification)	
1.2.8.1 Soil Erosion and Sediment Control: Site disturbance for a building on a slope greater than 1:5 must not exceed 250 sq.m.* (*Am.B3 g.29/6/05)		1.2.8.1: A soil and water management plan is to be prepared for all new development not meeting the Acceptable Solution. The plan shall include the period until the site has been satisfactorily stabilised after completion of building works.	

ISSUE 9: National Pollutant Inventory	PRINCIPLE: To ensure that substances over the threshold specified in the National Environment Protection (National Pollutant Inventory) Measure (as amended) are monitored.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
1.2.9.1 No use or development is to have substances on the site exceeding the threshold specified in the National Environment Protection (National Pollutant Inventory) Measure.	1.2.9.1: Council may approve an application for use or development not meeting the Acceptable Solution provided it is demonstrated that the industry Liaison Officer (National Pollutant Inventory) within Environment Division of the Department of Primary Industries, Water and Environment is aware of the application and the correct safety protocols are being followed.
ISSUE 10: Use upon land subject to the <i>National Parks and Reserves Management Act 2002</i>	PRINCIPLE: To ensure that use is consistent with the purpose and management objectives applicable to the land in question.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
1.2.10.1 Use: A use must be approved where it is for the purpose of meeting one or more of the objectives for the reserve class under the <i>National Parks and Reserves Management Act 2002</i> .	1.2.10.1: Council may approve a use does not meet the Acceptable Solution where it is for the purpose of reserve management or passive recreation or is specified for the site or zone in a management plan.
ISSUE 11: Subdivision for land subject to the <i>National Parks and Reserves Management Act 2002</i>	PRINCIPLE: To ensure that subdivision is consistent with the purpose of protecting, enhancing or enjoying the reserve.
Acceptable solution (Deemed to Comply)	Alternative Solution (Requires Justification)
1.2.11.1 Subdivision: Council must approve an application for subdivision where it is for a minor boundary adjustment that does not result in a substantive change in the size or shape of existing titles, or is to create a lot for an existing or approved use or development.	1.2.11.1: Subdivision may be approved for a purpose consistent with one or more of the objectives of the reserve class under the <i>National Parks and Reserves Management Act 2002</i> and the management plan, where one exists.
ISSUE 12: Wilderness Values for land subject to the <i>National Parks and Reserves Management Act 2002</i>	PRINCIPLE: To protect sites or areas with high wilderness values.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
1.2.12.1 Wilderness Values: Council may only approve use or development where the numerical Wilderness Values of areas rated at 8 or higher using the National Wilderness Inventory methodology in the Reserve Management Code of Practice will not be reduced.	1.2.12.1: Any adverse impacts on areas with Wilderness Values of 8 or greater must be avoided, remedied or mitigated. The numerical Wilderness Value of areas rated at 10 or higher will not be reduced.

ISSUE 13: Landscape and visual values for land subject to the <i>National Parks and Reserves Management Act 2002</i>	PRINCIPLE: landscape and visual values are to be protected as community assets
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
1.2.13.1 Skylines and Exposed Slopes: No development is to be located on a skyline, ridgeline or exposed slope.	1.2.13.1: Council may approve development not meeting the Acceptable Solution provided the development is designed and sited to avoid, remedy or mitigate any adverse effects on significant public views.
ISSUE 14: Infrastructure within reserves subject to the <i>National Parks and Reserves Management Act 2002</i>	PRINCIPLE: To ensure an adequate and appropriate level of access, infrastructure and safety for use and development.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
1.2.14.1 Site Category: Council must approve infrastructure works where the site category or level of service under the Reserves Standard Framework will not change.	1.2.14.1: The level of service and infrastructure must be consistent with the purpose and management objectives for the reserve class and public expectations.
1.2.14.2 Walking Tracks: Walking Tracks will be constructed, located and maintained in accordance with the Reserves Management Code of Practice	1.2.14.2: New and upgraded walking tracks must be constructed, located and maintained in accordance with best practice reserve management.

2.0 Heritage Schedule

2.1 Objectives of the Schedule

- 2.1.1 The purpose of this schedule is to retain the cultural significance of places for current and future generations.

2.2 Application of the Schedule

- 2.2.1 Use or development is to be undertaken in accordance with the following standards listed in Table S2.1 below.

Table S2.1 Principles and Standards for Heritage Schedule

ISSUE 1: Cultural Significance	PRINCIPLE: To ensure use or development conserves, reveals, enhances and does not detract from those characteristics which contribute to the places cultural significance.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
<p>2.2.1.1 Changes to fabric of places/items listed on Tasmanian Heritage Register, National Trust or on the register of the National Estate: Must be in accordance with a "Conservation Plan" prepared by a suitably qualified person and approved by the Tasmanian Heritage Council.</p>	<p>2.2.1.1 Where it is proposed to change the fabric of a place listed in Table S2.2 by the Tasmanian Heritage Council or the register of the National Trust or the National Estate, it must be demonstrated to Council's satisfaction that:</p> <ul style="list-style-type: none"> (a) it will not cause loss of cultural heritage significance to the listed place through incompatible design. This includes height, scale, bulk, roof form, fenestration, siting, materials, colours and finishes; and (b) it will not distort the cultural heritage significance of the listed place by attempting to imitate existing buildings; and (c) it will not diminish the cultural heritage significance of the listed place through loss of landscape elements including plants, trees, fences, paths, outbuildings, lights, signs, seats and other items that reflect the places history; <p>unless it can be demonstrated that it would not be prudent and feasible to comply with the above criteria.</p>

<p>2.2.1.2 Changes to the fabric of a place listed in Table S2.2 by Council: Must be in accordance with a "Conservation Plan" prepared by a suitably qualified person and approved by the Tasmanian Heritage Council.</p>	<p>2.2.1.2: Where it is proposed to change the fabric of a place listed in Table S2.2 by Council, either through modification or demolition, Council may approve such works provided it can be demonstrated that:</p> <ul style="list-style-type: none"> (a) it will not cause loss of local cultural heritage through incompatible design. This includes height, scale, bulk, roof form, fenestration, siting, materials, colours and finishes; or (b) in the case of partial or whole demolition, the loss is not significant to the neighbourhood character and that the replacement is sympathetic to the scale and design of the previous development.
<p>2.2.1.3 Subdivision of places listed in Table S2.2 by Council: All applications for subdivision must be in accordance with a "Conservation Plan" prepared by a suitably qualified person and approved by the Tasmanian Heritage Council.</p>	<p>2.2.1.3: Council may approve a subdivision of a place listed in Table S2.2 not meeting the Acceptable Solution provided the principles specified in this Schedule are met.</p>
<p>2.2.1.4 Geoheritage sites: Use or development will not impact on any geoheritage sites listed in the Geoheritage database maintained by DPIWE.</p>	<p>2.2.1.4: Any adverse impacts on any geoheritage values must be remedied or mitigated.</p>
<p>2.2.1.5 Use or development inside heritage precincts identified in Figure S2.1 and S2.2: All applications for use or development must be meet the Alternative Solution.</p>	<p>2.2.1.5: Council may approve an application for use or development within the heritage precincts identified in Figures S2.1 and S2.2 provided in cases where it is proposed to change the fabric of a building either through modification or demolition, it is demonstrated that:</p> <ul style="list-style-type: none"> (a) it will not cause loss of local cultural heritage through incompatible design. This includes height, scale, bulk, roof form, fenestration, siting, materials, colours and finishes; or (b) in the case of partial or whole demolition, the loss is not significant for the streetscape and where significant the replacement development is sympathetic to the scale and design of the previous development.

ISSUE 2: Aboriginal Heritage	PRINCIPLE: All Aboriginal sites and places created before 1876 have total protection under the Aboriginal Relics Act 1975.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
2.2.2.1 Sites/places listed under the Tasmanian Aboriginal Sites Index (TASI): All applications for use or development must meet the Alternative Solution.	2.2.2.1: Council may approve an application for use or development not meeting the Acceptable Solution which has the potential to impact on a known site or place where a report from an Aboriginal Heritage Consultant recognised as such by the Aboriginal Heritage Office demonstrates that any impact can be satisfactorily managed.
2.2.2.2 Use or development in the Coastal Area: No use or development is to occur within the coastal area without prior assessment and justification by an Aboriginal Heritage Consultant recognised as such by the Aboriginal Heritage Office. In the event of an Aboriginal site or place being identified all applications for use or development must meet the Alternative Solution.	2.2.2.2: Council may approve an application for use or development not meeting the Acceptable Solution which has the potential to impact on a known site or place where a report from an Aboriginal Heritage Consultant recognised as such by the Aboriginal Heritage Office demonstrates that any impact can be satisfactorily managed.

Table S2.2 Heritage Register

Street/Suburb	Description	Significance
BLACKMANS BAY		
Blackmans Bay Geoheritage Site; Fossil Cove Dr, Blackmans Bay		RNE
Blackmans Bay Geological Monument, Fossil Cove Dr.		RNE
CONINGHAM		
Coningham Nature Recreation Area		RNE
GORDON		
Next to public jetty	D'Entrecasteaux Monument Historic Site	RNE
KETTERING		
2936 Channel Highway	Old Hawkers Store, fine Victorian Gothic building	KC - S
Ferry Road	Oyster Cove Inn	KC - L
KINGSTON/HUNTINGFIELD		
Southern Outlet north of overpass	Row of poplars on eastern side of road as landmark	KC - L
Hutchins Street	Former Kingston School	KC - S
Denison Street	Kingston Reformed Church with prominent spire as town landmark	KC - S
203 Channel Highway	Australian Antarctic Division HQ	RNE
Lynden Road	"Bonnet Farm" house	KC - L
Channel Highway	"Red House", Kingston Golf Club House	THC, NT (C)

11 Channel Highway, (on corner of Beach Road)	St Clements Rectory	THC, NT (C)
Channel Highway	St Clements Church [and churchyard]	THC,NT (C) RNE
96 Beach Road	St Aloysius Catholic Church (1873)	THC, NT (R)
Summerleas Road	"Forest Glen" (house)	THC
67 Cleburne Street	"Sunnyside House", single storey, sandstone dormers (1832-1840)	THC, NT (C)
Roslyn Avenue, Kingston Heights	"Boronia House"	THC
Near Channel Highway and Summerleas Road roundabout (Central Kingston side)	Firth Burial Ground and site of Wesleyan Chapel	NT (R)
Maranoa Road, Kingston	Calvin Christian Primary School	RNE
RA 1179, Channel Highway, Huntingfield	"Huntingfield House"	THC, NT (C)
RA 20, Scotts Road, Kingston	"Summerleas" house	THC, NT (R)
RA 221, Summerleas Road	"Wharncliffe" house including stone outbuildings, Hawthorn hedges	THC, NT (C)
RA 219 Summerleas Road	"Wharncliffe Cottage"	THC,NT (C)
MARGATE		
Channel Highway	Brookfield Seed Drying Kiln, 3 storey weatherboard building painted "Brookfield" on northern approach to Margate.	KC - S
MIDDLETON		
Middleton	"Sunnybanks" (house), single storey Georgian home with hipped roof	KC - N THC
NEIKA		
1122 Huon Road, Neika	"High Peak" (1891)	THC,NT (C)
Huon Road, Neika	"The Old School House"	THC, NT (R)
OYSTER COVE		
Old Station Road	Oyster Cove Historic Site	RNE
TARONGA		
Taronga	"Pine Barks Farm" c1847	KC - L, THC
Taronga Road, Taronga	Browns River Probation Station 1840-1850 including: <ul style="list-style-type: none"> the site of the sandstone quarries; the stone tank for washing; muster yard and main buildings site; clay pits and brick clamps; underground cells; the main road to the landing point on the waterfront; and the well 	THC, NT (C), RNE
TAROONA		
Cnr Channel Highway and Churchill Avenue	Churchill Road tunnel built between 1840 and 1846	NT (C)
17 Tarooma Crescent, Tarooma	"Tarooma House" c1895-1897	NT (C)

162 Channel Highway, Taroom	"Taroom Tea House" 1898, weatherboard cottage with steep corrugated iron hipped roof	KC - S
55-57 Morris Avenue, Taroom	"Wimmarleigh" house	THC,NT (C), RNE
6 Morris Avenue, Taroom	House, former "Wimmarleigh" stables	THC,NT (C), RNE
234 Channel Hwy, Taroom	Shot Tower and adjacent stone buildings (1870)	RNE, THC, NT (C)
240 Channel Hwy	"Acton" house	THC,NT (C)
Channel Highway, Taroom	Stone Trough (horse), made of stone and moved from original site	THC, NT (R)
269 Channel Highway, Taroom	"Hillgrove"	THC,RNE
98 Channel Highway, Taroom	St Pius X Catholic Church	RNE
South of Shot Tower in front of Garden Cottage	Large stone retaining walls c 1855-1870	KC - PL
Original Grange property	Stone steps c1839 leading to the waterfront	KC - PL
Alum Cliffs Track	Foundations of Joseph Moir's Mausoleum c1874	KC - PL
Cnr Channel Highway/Taroom Crescent	Old Public Hall c1902	KC - PL
Taroom State High School	Foundations of George Dixon's house c1894	KC - PL
Alum Cliffs area		RNE
Taroom Crescent	Batchelors Grave	THC, NT(C), RNE
5 Oakleigh Avenue	James Nairn's house c1819, weatherboard home with corrugated iron roof.	KC - S
TINDERBOX		
Tinderbox Peninsula	Mt Louis Signal Station Site	KC - N
Tinderbox Peninsula	Fort Pierson/Oxley Lookout	KC - N
332 Tinderbox Road, Tinderbox Peninsula	"Pilot House"	THC,NT (C)
Tinderbox	Tinderbox Farm	NT (R)
WOODBIDGE		
Channel Highway, Woodbridge	"St Simon's & St Jude's" Church	THC, NT (C)
Channel Highway Woodbridge	Woodbridge Uniting Church, Federation Carpenter Gothic building opposite Woodbridge High School	KC - S

BRUNY ISLAND LISTINGS

ADVENTURE BAY		
Main Road, Adventure Bay	Bligh Museum	NT (C)
Adventure Bay Road	Captain Cook Land Site and Monument (stone monument)	KC - N
Adventure Bay Road	Furneaux and Cook Monument (bronze plaque on monument)	KC - N
Two Tree Point, near Resolution Creek	Two mature blue gum (E globulus)	KC - N
The Neck	Big Hummock and Trugannini Steps	KC - L
5 Lumeah Road	"Lumeah" (house)	KC - L
Mount Cook area	Lockleys Road, Adventure Bay	RNE
Lutregala Creek Forest Reserve		RNE

Mount Mangana Invertebrate Site		RNE
Mount Mangana Forest Reserve and adjacent areas		RNE
Waterfall Creek State Reserve, Adventure Bay		RNE
Fluted Cape State Reserve		RNE
ALONNAH		
The Esplanade	Alonnah Jetty	KC - S
3764 Bruny Island Main Road	St Brenadan's Catholic Church (Romanesque building)	KC - S
Bruny Island Main Road	Former Bruny Island Council Chambers and Courthouse	KC - S
School Road	Bruny Island District School (3 weatherboard buildings)	KC - S
Lutregala Marsh Area	Bruny Island Main Road, Alonnah	RNE
BARNES BAY		
Barnes Bay	"Lennonville" house (1838)	NT (R)
Barnes Bay	Quarantine Station (Historic classification)	RNE
680 Bruny Island Main Road	North Bruny Island CWA Rooms	KC - S
Missionary Road	Lawrence Family Vault (marble funerary monument) located opposite Kirby Lodge.	KC - S
Barnes Bay Road	Former Barnes Bay Ferry Terminal (1954-1983)	KC - L
CAPE BRUNY		
Lighthouse Road, Cape Bruny	Light Station and associated buildings.	THC, NT (C), RNE
South Bruny National Park		RNE
Bay of Islands, Mount Bruny		RNE
DENNES POINT		
35 Bruny Island Main Road.	"Woodlands Park" (house). Victorian Georgian home	KC - N
Dennes Hill		RNE
LUNAWANNA		
4561 Bruny Island Main Road	St Michaels and All Angels Anglican Church	KC - S
4586 Bruny Island Main Road	Lunawanna Memorial Hall	KC - N
Jetty Beach Road, Lunawanna	Cape Bruny Lighthouse jetty	KC - N
Shallow Bottom Point Area, Lighthouse Road, Lunawanna		RNE
VARIETY BAY		
"Murrayfield, Trumpeter, Variety Bay	St Peters Church (ruins) and three convict graves	THC, NT (C) RNE

KEY:

LEGEND/HIERARCHY:

RNE	Registered National Estate – <u>Federal heritage significance</u>
NT (C)	Register of National Trust – Classified – <u>State heritage significance</u>
NT (R)	Register of National Trust – Recorded – <u>State heritage significance</u>
THC	Tasmanian Heritage Council listing – <u>State heritage significance</u>
KC	Kingborough <i>Council</i> listings comprising: <ul style="list-style-type: none">• KC – N meaning of National significance• KC – S... meaning of State significance• KC – L... meaning of Local significance• KC – PL meaning previously listed under the Kingborough Planning Scheme 1988 as having heritage significance.

Figure s2.2.1 Kingston Beach Heritage Precinct

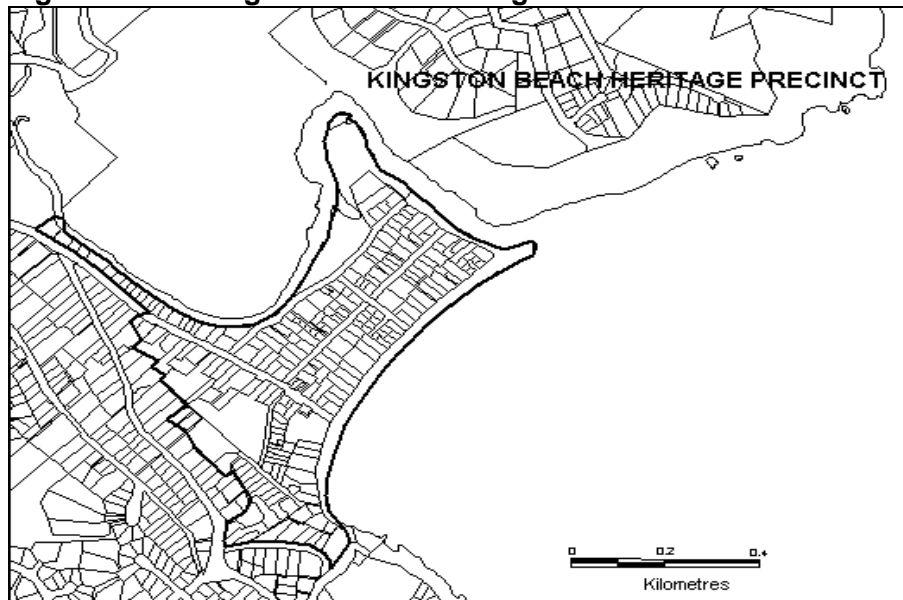


Figure s2.2.2 Woodbridge Heritage Precinct



3.0 Road Asset and Access Schedule

3.1 Objectives of the Schedule

3.1.1 The purpose of this schedule is to:

- (a) ensure that use or development of land not on a road does not adversely effect the efficiency and safety of that part of the Tasmanian road system as lies within the planning scheme area; and
- (b) ensure that the road network operates with the maximum degree of efficiency and safety for both road users and adjoining landowners by managing the interaction between roads and adjoining use and development; and
- (c) assist the planning, construction, maintenance and management of roads by identifying the function and performance expected of each road within the planning scheme area; and
- (d) specify the standards for traffic circulation and movement within a site; and
- (e) identify specific requirements for use or development which has major traffic generating qualities.

3.2 Application of the Schedule

3.2.1 All roads in the planning scheme area shall be categorised as to their status within the road hierarchy in accordance with Table S3.1 with the standards applying to each road category detailed in Table S3.2.

Table s3.1 Road Hierarchy

Category 1 - Trunk Roads	Are the following roads
These trunk routes are major highways that are crucial to the functioning of Tasmanian industry, commerce and society. They are the key links supporting the future economic development of Tasmania. They carry large numbers of heavy freight vehicles and passenger vehicles and facilitate: <ul style="list-style-type: none">• Inter-regional freight movement• Inter-regional passenger vehicle movement; and• Commercial interaction. They connect: <ul style="list-style-type: none">• Major population centres• Major seaports;• Major airports; and• Major industrial locations	Southern Outlet from the Municipal Boundary (Hobart) to the junction of Beach Road and Channel Highway

Category 2 - Regional Freight Roads	Are the following roads
<p>These roads connect the regions to the trunk routes to the main population centres, the seaports and the airports.</p> <p>They have a high level of freight vehicle and passenger vehicle use</p> <p>Where heavy freight vehicles are common, the lanes need to be wider and there need to be more passing opportunities.</p>	<p>Huon Highway from Kingston Interchange overpass to the Municipal Boundary with Huon Valley</p>

Category 3 - Regional Access Roads	Are the following roads
<p>Regional Access Roads are of strategic importance to regional and local economies. While heavy freight vehicles use them, the level of use is below that of Regional Freight Roads.</p> <p>Together with Regional Freight Roads, they provide safe and efficient access to Tasmania's regions.</p> <p>They generally facilitate:</p> <ul style="list-style-type: none"> • Connection between smaller regional resource bases and Trunk and Regional Freight roads; • Local commercial interaction; • Sub-regional passenger vehicle movement and connection to Trunk and Regional Freight Roads; and • Sub-regional tourist movement and connection to Trunk and Regional Freight Roads. 	<p>Channel Highway from south west abutment of Kingston Interchange overpass to Ferry Road junction, Kettering.</p>

Category 4 - Feeder Roads	Are the following roads
<p>Feeder Roads provide safe and equitable passenger vehicle and tourist movement within the regions of Tasmania.</p> <p>Where the main road servicing the town is a State road, they connect towns of 1,000 or more people to Trunk or Regional Roads.</p> <p>While some of these roads currently carry heavy freight traffic, they duplicate existing trunk, regional freight or regional access roads and are not strategically preferred heavy vehicle routes.</p> <p>They generally facilitate:</p> <ul style="list-style-type: none"> • Local commercial interaction; • Local freight movement and connection of smaller regional resource bases with trunk and regional freight roads; • Connection to major tourist destinations; and • Local tourist movement and connection to trunk and regional freight roads. 	<p>Algona Road from the junction with Channel Highway to Roslyn Avenue.</p> <p>Old Channel Highway from Kingston through Taroona to LGA boundary with Hobart.</p>

Category 5 - Local Collector Roads	Are the following roads
<p>These are the Other Roads –Local Connectors that primarily give access to properties both residential and rural with a significant through traffic function.</p> <p>With respect to freight use, demands are infrequent and fluctuate significantly as these roads are only likely to serve localised industry and then only for short distances prior to accessing Regional Freight or other higher order roads. These are not important freight roads and other routes are preferred for freight use.</p> <p>In many cases Category 5 Roads serve residential areas but are neither feeder roads nor regional access roads due to limited service catchment and localised function.</p> <p>Traditionally these have been Council owned and maintained roads (but need not be) and have significant local value for access to local villages, townships and higher category roads.</p> <p>Tourist use is higher than for Category 6 Roads.</p>	<p>Channel Highway from Ferry Main Road, Kettering south to Municipal Boundary with Huon Valley LGA.</p> <p>Ferry Road, channel Highway to Terminal Point.</p> <p>Roslyn Avenue from Brightwater Road junction to Beach Road junction.</p> <p>Nicholls Rivulet Road from Channel Highway west to Municipal Boundary with Huon Valley LGA.</p> <p>Adventure Bay Road, Bruny Island.</p> <p>Bruny Island Main Road from Nebraska Road to Lighthouse Road.</p> <p>Lennon Road, Bruny Island loading ramp abutment (Ferry) to junction with Bruny Main Road</p> <p>Beach Road, Kingston from Beach Road/Channel Highway junction to junction with Osborne Esplanade.</p> <p>Browns Road from Interchange to junction with old Channel Highway.</p>

Category 6 - Other Roads	Are the following roads
<p>These Other Roads are often of a rural standard or are local streets with low traffic volumes and provide access to properties</p> <p>These are not generally freight routes and tourist use is low.</p>	<p>All other roads.</p>

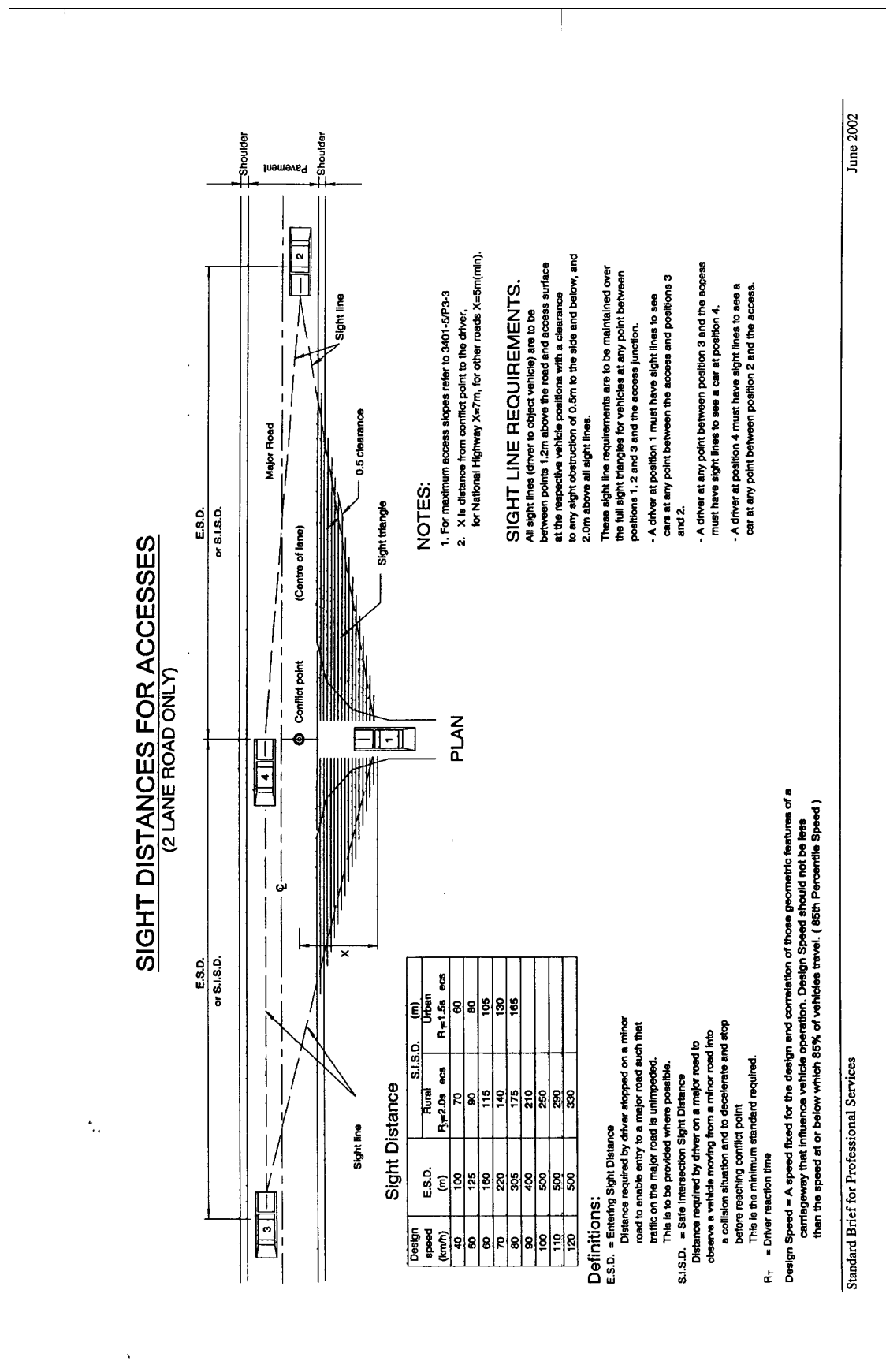
Table s3.2 Principles and Standards for Regulation of Use or Development

ISSUE 1: Access Sight Distance	PRINCIPLE: To ensure that adequate sight distance is provided in relation to the speed of through traffic.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
3.2.1.1 Sight Distance Standards: Category 1-6 Roads and State Roads must meet the standards set out in Figure S3.1.	3.2.1.1: Council may approve an application for use or development that does not meet the Acceptable Solution in the following circumstances: <ul style="list-style-type: none"> (a) Category 1-3 Roads: Must meet the Acceptable Solution. (b) Category 4-6 Roads: Where it is demonstrated through a TIA that the access has an acceptable level of risk in relation to the avoidance of collisions between vehicles travelling along the road and those which are turning.

In assessing a TIA Council must not allow a proposal for use or development that would create a new access with sight distances less than the Approach Sight Distances specified in Tables 5.1, 5.2 and 5.3 of Part 5 of the Guide to Traffic Engineering Practice, Intersections at Grade (NAASRA, 1998).

ISSUE 2: Accesses/junctions	PRINCIPLE: To ensure that the performance and safety off roads is not reduced by the number and location of vehicular entry points.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
3.2.2.1 Number of Accesses and Junctions: The following minimum standards apply: <ul style="list-style-type: none"> (a) Category 1-3 Roads: Inside Urban Speed Limit: A maximum of 1 direct access per property providing both entry and exit or two direct accesses providing separate entry and exit is allowed. No limitation on the number of junctions. Category 1-3 Roads Outside Urban Speed Limit: None. (b) Category 4-6 Roads: A maximum of one direct access providing both entry and exit or two direct accesses providing separate entry and exit from an existing side is not available. No limitation on the number of junctions. 	3.2.2.1: Council may approve an application for development not meeting the Acceptable Solution in the following circumstances: <ul style="list-style-type: none"> (a) Category 1-3 Roads: Where the applicant can demonstrate to the satisfaction of Council through a TIA that there is no practical alternative, as well as the measures to be undertaken by the developer to maintain the safety and performance of the road. (b) Category 4-6 Roads: Council may allow any number of accesses or junctions in any location if it can be demonstrated that the number of accesses or junction will maintain the safety of the road.

Figure s3.1 Sight Line Diagram



Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
<p>3.2.2.2* Location of Accesses: The following standards apply:</p> <ul style="list-style-type: none"> (a) accesses will be located on the lower category of road where a site has frontage to more than one road; (b) all accesses must meet the standards set out in Table S3.3. 	<p>3.2.2.2:*Council may approve an application for use or development not meeting the Acceptable Solution if it can be demonstrated through a TIA that there is no practical alternative as well as the measures to be undertaken by the developer to maintain the safety and performance of the road.</p> <p>Where a new access onto a junction with a Category 1-3 Road within or outside the Urban Speed Limit is proposed it should be demonstrated that:</p> <ul style="list-style-type: none"> (a) there is a compelling need for the use or development to be located on the site; and (b) access onto, or a junction with an existing Category 4-6 Road is not practical; (c) in the case of: <ul style="list-style-type: none"> (i) Category 1 or 2 Roads the proposed use or development is of National or State significance; or (ii) in the case of a Category 3 Road the use or development is of local benefit; and (d) it is demonstrated that the objectives of Schedule 3 of the Scheme will be achieved.
(*Am.A35 g.7/3/05)	

Table s3.3 Minimum Setback Distance of new Accesses and Junctions from Existing Junctions

Road Category	Minimum setback Inside urban speed limit	Minimum setback Outside urban speed limit
Category 1 - 3	<ul style="list-style-type: none"> • 50m from existing access or junction on the opposite side of the road • 500m from an existing access or junction on the same side of the road 	<ul style="list-style-type: none"> • No new access or junctions permitted
Category 4 - 6	<ul style="list-style-type: none"> • 9m from any existing access or junction 	<ul style="list-style-type: none"> • 100, from any junction between that road and a Category 1 Road • 50m from any junction between that road and any Category 2 or 3 Road.

ISSUE 3: Deficient Junctions	PRINCIPLE: To ensure there is no decline in safety at deficient road junctions.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
3.2.3.1 New additional traffic: Use or development serviced by a side road from a deficient junction is not to create a material traffic increase on the side road at the deficient junction.	3.2.3.1: Where a use or development serviced by a side road from a deficient junction creates a material traffic increase on the side road it is to be demonstrated to the satisfaction of Council through a TIA that the safety and performance of the deficient road junction will not be reduced.

ISSUE 4: Future Road	PRINCIPLE: To ensure that use or development on land designated for a "Future Road" will not prejudice the future use of that road.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
3.2.4.1 Development near Future Roads: New Use or development in or within 50m of the boundary of land designated in the Scheme as a "Future Road" will be temporary in nature and be capable of removal before construction of that road commences.	3.2.4.1: Council may allow an application for use or development in or within 50m of the boundary of land designated in the Scheme for the purpose of a "Future Road" provided the potential for use as a road is not compromised.

ISSUE 5: Setbacks for buildings and structures	PRINCIPLE: To ensure that the setback between roads and adjacent buildings and structures or subdivisions creating lots for future buildings and structures are sufficient to allow potential for road upgrading, amenity preservation; provide for future access and communication requirements and avoid potential road safety problems.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
3.2.5.1 Minimum setback: As per Table S3.4.	3.2.5.1: Council may vary the standards in Table S3.4 provided it is demonstrated that: <ul style="list-style-type: none"> (a) the future upgrading of the road will not be prejudiced; and (b) occupants of sensitive uses will be adequately protected from traffic noise and fumes; and (c) future access and communication requirements will not be prejudiced, and (d) the safety of road users will not be compromised.

Table s3.4 Minimum Setbacks of New Buildings or Structures from Roads

Road Category	Minimum setback Inside Urban Speed Limit	Minimum setback Outside Urban Speed Limit
Category 1	50	50
Category II	10	50
Category III	nil*	50
Category IV	nil*	50
Category V	nil*	20
Category VI	nil*	10

* On Category 3-6 Roads the relevant Zone standards apply inside the Urban Speed Limit.

ISSUE 6: Car Parking design	PRINCIPLE: To provide accessible parking meeting Australian Standards.
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Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
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3.2.6.1 Car space and access dimensions: The following minimum standards apply: <ul style="list-style-type: none"> (a) minimum dimensions of 5.5m x 2.6m; and (b) where parking is adjacent to a driveway, the minimum dimensions of driveways are to be as set out in Table S3.5; and (c) access ways and driveways are to be designed to enable vehicles to enter the designated parking space in a single turning movement, and leave the space in no more than two turning movements. 	3.2.6.1: Vehicle parking facilities are to be designed and located to: <ul style="list-style-type: none"> (a) conveniently, safely and efficiently service users, including pedestrians, cyclists and vehicles; and (b) enable efficient utilisation of car spaces and access ways and manoeuvrability for vehicles between the street and the lot; and (c) fit in with any adopted street network hierarchy and with local traffic management plans.
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Table s3.5 Minimum Driveway Dimensions

Angle of Cars to Driveway	Minimum Driveway Width (m)
parallel	4.5
30 degrees	3.0
45 degrees	3.0
60 degrees	5.0
90 degrees	6.7

Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
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3.2.6.2 Drainage: Open car parking spaces are to be drained to Council's stormwater drainage system.	3.2.6.2: Open car parking spaces and access ways are to be designed, surfaces and sloped to facilitate stormwater infiltration into surrounding unpaved and landscaped areas within the boundaries of the development site.
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3.2.6.3 Forward egress required: The layout of a site must allow for vehicles of a size normally associated with the use of the site to enter and leave in a forward direction except in the following circumstances: <ul style="list-style-type: none"> (a) for a residential use that achieves access onto a Category 6 Road that carries 3000 or less vehicles per day or where supported by a TIA prepared by a suitably qualified person confirming that the provisions of clause 3.2.1.1 (sight distance standards) are met; (b) for any other land use (other than Residential Use Class) that requires 2 or less parking spaces.* 	3.2.6.3: Council may approve any vehicle manoeuvring arrangements for a use or development upon site not meeting the Acceptable Solution subclauses (a) and (b) provided it can be demonstrated through a TIA prepared by a suitably qualified person that safe ingress and egress can be achieved for all vehicles accessing that site.*
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(*Am.A33 g.29/6/05)

3.2.6.4 Parking spaces behind building line: Parking spaces are not to be located between the building line of a building and the front boundary of a lot.	3.2.6.4: Car parking spaces may be located forward of the building line of a building provided it can be demonstrated that they are visually compatible with the development and do not create security difficulties.
3.2.6.5 Disability Parking (non residential development): For non residential development; accessible to the public, 1 parking space for every 20 provided is to be constructed and designed for use by persons with disabilities in accordance with AS 1428.	3.2.6.5: * Car parking spaces provided for people with a disability must: <ul style="list-style-type: none"> (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance.
(*PSA-2014-3 g. 11/11/14)	
3.2.6.6 Minimum Access way widths: Minimum access way widths are to be as set out in Table S3.6.	3.2.6.6: Access ways are to be wide enough to cater for expected traffic associated with the use or development.

Table s3.6 Minimum Access Widths

No. of Parking Spaces to be provided on development site	Minimum Width of access way to a Road	Footpath requirement
1 to 5	One 3.0m wide lane	One 0.6m wide footway
6 to 20	5.0m or 2 x 3m	One 1.0m wide footway
21 and over	6.0m or 2 x 3m	Two 1.5m wide footways

Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
3.2.6.7 Vehicle crossovers: The following minimum standards apply: <ul style="list-style-type: none"> (a) Vehicle crossovers to be designed to meet Council standards as specified in MSDI-07; and (b) Vehicle crossovers are to be designed to allow direct access to and from driveways, and to be located so as not to interfere with on street parking. 	3.2.6.7: Council may approve variations to the Acceptable Solution in the following circumstances: <ul style="list-style-type: none"> (d) None. (e) Vehicle crossovers are to be designed for efficient access to and from driveways taking into account the width of the street and the on street parking requirements of the street.

ISSUE 7: Major traffic generating development	PRINCIPLE: Use or development should be located in places which maximise accessibility by many modes of transport and which do not undermine existing and planned infrastructure investments by the public.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
3.2.7.1 Location of development: MTGD may locate within Central Kingston as defined in Part 1 of the Scheme.	<p>3.2.7.1: Council may permit a MTGD in any location where:</p> <ul style="list-style-type: none"> (a) a Location Decision Report has been prepared; and (b) it is demonstrated that the proposed use or development meets the transport strategies identified in Part 2 of the Scheme; and (c) no significant or ongoing environmental impacts will result; and (d) no significant adverse impact on existing infrastructure investments by the public will be jeopardised or undervalued as a result of the proposed use or development proceeding; and (e) it is demonstrated that no significant through traffic will be generated through any adjacent residential area. (f) At the Margate Marina Park precinct a MTGD may be allowed only if it is consistent with the Desired Future Character Statements and Strategies set out in Clause 6.2.1(n).*

(* Am.A2 g. 19/5/05)

ISSUE 8: Provision of bus services and facilities in new residential subdivisions within the Residential Zone	PRINCIPLE: To provide for bus circulation and the means of public transport service likely to be required by means of: <ul style="list-style-type: none"> • encouraging grid and not cul-de-sac roads; • having regard to road dimension to allow for maximum practical service coverage where not all roads are of the same dimensions or function; • allowing where practical, for buses to enter and exit subdivisions via different routes; • ensuring, where new subdivision roads will not be convenient to bus networks, that suitable pedestrian links are provided allowing for residences only short walking distances to bus routes; and • adequately addressing the design of pick up and set down areas for bus passengers.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
3.2.8.1 Subdivision Road Layout and Parking: Where subdivision within the Residential Zone involves the construction of internal roads to the connecting road systems the following standards apply: <ul style="list-style-type: none"> (a) road layouts must provide for ingress and egress into the subdivision via different routes to allow efficient bus service delivery; and (b) where the subdivision is to be serviced by bus routes parking areas for the pick up and set down of passengers are of suitable dimensions and design to comply with clause 7.2.3 of Part 11 of the National Association of Australian State Road Authorities (NAASRA), titled "Guide to Traffic Engineering Practice - Part 11 - Parking." 	3.2.8.1: Council may approve a subdivision within the Residential Zone that does not comply with the Acceptable Solution where either: <ul style="list-style-type: none"> (a) in the areas of no bus routes being provided: <ul style="list-style-type: none"> (i) it can be demonstrated that it is not physically practicable due to topographic constraints (land tenure boundaries, watercourses, severe slope gradients) to provide for bus ingress and egress into the subdivision via different routes; or (ii) it can be confirmed in writing by Metro Tasmania that bus routes will not be required through the new subdivision and a suitable pedestrian network is provided as part of the subdivision, or already exists within the area, that allows for new residents to access a bus route within 200m of their dwelling; or (b) where bus routes will be provided but the design of bus pick up and set down facilities do not meet the Acceptable Solution, areas for pick up and set down of passengers are of suitable dimensions, as documented by a suitably qualified traffic engineer, to the satisfaction of Council.

4.0 Carparking and Bicycle Schedule

4.1 Objectives of the Schedule

- 4.1.1 The purpose of this schedule is to ensure adequate vehicle and bicycle parking is provided for all use or development.

4.2 Application of the Schedule

- 4.2.1 Use or development is to be undertaken in accordance with the standards listed in Table S4.1.

Table s4.1 Principles and Scheme Standards for Car and Bicycle Parking

ISSUE 1: Car Parking Provision		PRINCIPLE: To provide sufficient conveniently located and accessible parking for people utilising or servicing a use or development
Acceptable Solution (Deemed to Comply)		Alternative Solution (Requires Justification)
4.2.1.1 Number of spaces/dimensions: The number of parking spaces for cars to be provided on the development site for any use or development are to meet the acceptable solutions set out in Table S4.2.		4.2.1.1: Council may vary the parking standards for cars set out in Table S4.2 where it can be demonstrated that parking needs can be met by taking into account: <ul style="list-style-type: none"> (a) the nature, number and size of vehicles associated with the proposed use or development; (b) the provision or availability of existing on-street car parking easily accessible by customers or visitors; (c) the location and nature of other uses or developments in the vicinity; (d) the effect of slope or other site constraints in reducing parking opportunities; (e) any street network hierarchy adopted by Council and principles for the hierarchy; (f) the possible demand for car parking spaces from adjoining properties; (g) the need for overflow parking; (h) the public benefit of the development in meeting community needs; (i) the opportunity for use of adjoining or nearby parking not utilised during the predicted peak periods envisaged; (j) the car parking needs of people likely to utilise the particular use or development; and (k) the accessibility of the proposed development by public transport, walking and cycling.

In the Business and Civic Zone Council may accept a cash payment in lieu of the provision of car parking or bicycle spaces. Council is to provide alternative parking spaces in a location suitable for users of the development. The number of spaces for which such a payment may be accepted is to be calculated on the basis set by Council under the provisions of the *Local Government Act 1993*.

4.2.1.2 Mixed development: Where use or development is for more than one activity and those activities operate concurrently, the minimum number of parking spaces for cars will be the sum of the requirements for each use or development.	4.2.1.2: Council may allow a lower standard of parking provision for cars than that specified in Acceptable Solution provided the matters listed in 4.2.1.1 are addressed.
4.2.1.3 Bicycle Parking: The number of bicycle spaces will be provided in accordance with Table S4.2.	4.2.1.3: Council may vary or waive the requirement for bicycle space parking where it sees no such demand.

Table s4.2 Acceptable Solutions for Parking and Bicycle Spaces

Purpose for which land is to be used	Includes	Minimum number of parking standards to be provided.	Bicycle spaces staff/ residents	Bicycle spaces visitors
Commercial/ Business and Civic				
Licensed Premises	hotel, tavern and bar where primary use is consumption of alcohol	1 space per 3 sq.m of bar floor area available to the public + 1 space per 6 sq.m of lounge and beer garden floor area available to the public + 1 space per 6 seats available in the dining room + 1 space/bedroom.	1 space per 10 staff	1 space per 10 visitor vehicle spaces
Shop	department store convenience shop, shop, supermarket/ take-away shop	See Supplementary Table.	See Supplementary table	See Supplementary table

Bulky goods Sales *	Land for the sale of heavy or bulky goods which require a large area for handling, storage and display. Examples include garden and landscape suppliers, rural suppliers, timber yards, trade suppliers, showrooms for furniture, electrical goods and floor coverings, and motor vehicle, boat or caravan sales. (*PSA-2014-3 g. 11/11/14)	If <1000 sq.m then 3 spaces per 100 sq.m of floor space If >1000 sq.m then 2 spaces per 100 sq.m of floor space	1 space per 10 staff	1 space per 2000 sq.m of floor space (minimum 2)
Office, Bank	bank, electoral office, medical centre, real estate agency, travel agency consulting suites involving medical or quasi medical consulting activities (including vet)	1 space per 45 sq.m of GLA 1 space per 30 sq.m or 4 spaces per consulting room whichever is greater.	1 space per 10 employees 1 space per 10 employees	1 space per 10 vehicle spaces 1 space per 10 vehicle spaces
Place of assembly/ Place of public entertainment	hall, place of worship, library, cinema, art gallery, function centre, reception centre etc	1 space per 15 sq.m of main hall or 1 space per 5 seats (whichever is greater).	1 space per 10 staff	1 space per 20 vehicle spaces
Restaurant		1 space per 4 seats	1 space per 10 staff	1 space per 20 vehicle spaces
Funeral parlour		1 space per 4 persons accommodated	1 space per 10 employees	1 space per 10 vehicle spaces
Service Station		4 spaces per service bay but not less than 10 spaces (excluding driveway)	1 space per 800 sq.m of GLA	zero

Industrial/Resource Development			1 space per 800 sq.m of GLA	per zero
Factory	Any use/development involving manufacture, production, dismantling or repair of goods	1 space per 50 sq.m of GLA or 2 spaces per 3 staff on the premises (whichever is the greater)	1 space per 800 sq.m of GLA	per zero
Motor mechanic works/bodyworks		1 space per 100 sq.m of GLA or 1 space per 2 staff (whichever is the greater)	1 space per 800 sq.m of GLA	per zero
Scrap yard		1 space per 150 sq.m of development area	1 space per 800 sq.m of GLA	per zero
Service Industry	Car wash, dry cleaner, laundromat	1 space per 50 sq.m of GLA or 2 spaces per 3 staff employed	1 space per 800 sq.m of GLA	per zero
Saleyards		1 space per 100 sq.m of fenced saleyard area	zero	zero
Store/Warehouse (involving no commercial display and no sales, wholesale or retail)		1 space per 200 sq.m of GLA	1 space per 800 sq.m of GLA	per zero
Residential development				
Dwelling	Ancillary unit	2 spaces + 1/ancillary unit	zero	zero
Multi-unit housing	villa units, townhouses, duplexes, residential flats	Refer to supplementary table – multi-unit housing.	1 space per 4 beds	1 space per 16 beds
Residential Care Facility	nursing home, hostel (primarily serving the aged) and the like	1 space per 4 beds + 1 space per 2 staff on duty + provision for 1 ambulance space	1 space per 4 beds	1 space per 16 beds
Home occupation		1 space in addition to residential requirement	Zero	Zero
Domestic business		1 space per staff + residential requirement	Zero	Zero
Visitor Accommodation				
Residential Hotels, Motels, Guest Houses, Serviced Apartments, Hostels, Other tourist and accommodation		1 space per unit + (if applicable) 1 space per 6 sq.m of dining room available to public.	1 space per 25 sq.m bar floor area	1 space per 100 sq.m of lounge/beer garden

Childcare Centre		8 spaces per 100 sq.m of GLA	Zero	Zero
Leisure and Recreation	Golf course, Swimming pool (non-domestic), Squash court/s, Bowling green, Tennis court/s	4 spaces per hole 5 spaces per 100 sq.m of site (built area) 3 spaces per court 10 spaces per rink 4 spaces per court	1 spaces per 4 staff	1 space per 200 sq.m GLA of a building
	Recreational boating facilities (including marina, boat launching facility, slipway, pontoon, jetty pier)	0.6 spaces per wet berth 0.2 spaces per dry storage berth 0.5 spaces per swing mooring 0.5 spaces per employee		
Hospital		1.3 spaces per bed available	1 spaces per 15 beds	1 space per 30 beds
Education/Cultural Establishment	primary school/secondary school, matriculation college, university etc)	1/staff + 1/30 students (full and part time) 1.2 space per member of staff 0.6 spaces per full time student and three part-time students	5 spaces per 100 fulltime students (equivalent)	Zero
Not elsewhere defined		As determined by Council	As determined by Council	As determined by Council

GLA refers to gross floor area of a tenancy

Supplementary Table – Multi-Unit Housing

Dwelling size or number of bedrooms	Average car parking spaces per dwelling	
	A	B
Small (<75m ²)	0.75	1.00
Medium (75m ² -110m ²) or 2 bedrooms	1.00	1.50
Large (>119m ²) or 3+ bedrooms	1.25	1.75*
Visitor spaces	0.25	0.25

Dwelling location:

- A = <200m walking distance from a trunk bus route in Kingston, Blackmans Bay and Taroona*
- B = any other circumstances except where multiunit housing is proposed within the Business and Civic Zone in which case a TIA is required demonstrating that there is sufficient parking off street for the proposed development and that any visitor parking demand generated will not exacerbate existing parking shortfalls in the area concerned.*

(*Am.A33 g. 29/6/05)

Supplementary Table – Shop Development

Location	Food handling retail (supermarkets, take-away etc)	Discount Department Stores, Superstores	Shop, convenience shop	Bicycle spaces Staff/ residents	Bicycle spaces visitors
Within 300m of Kingston GPO	Minimum: 5 spaces per 100 sq.m GLA Maximum: 6.5 spaces per 100 sq.m GLA	Minimum: 3 spaces per 100 sq.m of GLA Maximum: 5 spaces per 100 sq.m GLA	Minimum: 3 spaces per 100 sq.m of GLA Maximum: 5 spaces per 100 sq.m of GLA	1 space per 10 staff	1 space per 20 vehicle spaces
>300m from Kingston GPO	Minimum: 7 spaces per 100 sq.m GLA	Minimum: 6 spaces per 100 sq.m of GLA	Minimum: 6 spaces per 100 sq.m of GLA	1 space per 10 staff	1 space per 20 vehicle spaces

5.0 Waterways, Wetlands and the Coastal Area Schedule

5.1 Objectives of the Schedule

- 5.1.1 Waterways, wetlands and coastal area are highly susceptible to human degradation and should be accorded the highest level of protection.

5.2 Application of the Schedule

- 5.2.1 Use or development is to be undertaken in accordance with the standards listed in Table S5.1.

Table s5.1 Principles and Scheme Standards for Waterways and Wetlands and the Coastal Area

ISSUE 1: Use or Development near wetlands waterways and the coastal area	PRINCIPLE: To maintain the hydrological and biological roles of wetlands and waterways and the coastal area.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
5.2.1.1 Shore-based works: No dams, weirs, channel training works, filling, draining, building or other structures are to be constructed in or within 10m of the boundary of any wetland or streambank of a waterway or within the coastal area.	5.2.1.1: Council may approve use or development within 10m of the boundary of a wetland or streambank of a waterway or the coastal area (or upon) if it is demonstrated that the use or development is in accordance with relevant State Planning Policies to ensure that the natural flow regimes, water quality and biological diversity will not be adversely affected.
5.2.1.2 Marina development: All applications must be considered under the Alternative Solution.	5.2.1.2: Council may approve a marina to be constructed in any location provided it is supported by an environmental impact statement detailing: <ul style="list-style-type: none"> (a) that no site or place of Aboriginal heritage significance will be impacted, or alternatively, if impacted, will be managed in accordance with Schedule 2 of the Scheme; and (b) seabed characteristics/habitat type profile with qualitative/quantitative data and the expected impacts and means of mitigation; and (c) the controls to minimise visual impact; and (d) dredging and maintenance dredging including timing, location of removal and spoil disposal; and (e) the risk of acidic soils and means of mitigation; (f) impacts on coastal processes including sand movement, wave action and means of mitigation; and (g) impacts on coastal flora or fauna

	species or habitats (including benthic); and
	(h) written consent issued by the Crown is obtained; and
	(i) demonstration of best practice for waste reception and treatment.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
<p>5.2.1.3 New Jetties: All applications for development must be considered under the Alternative Solution.</p>	<p>5.2.1.3: New jetties may be permitted of any scale, involving any construction technique and in any coastal or estuarine location where it can be demonstrated that:</p> <ul style="list-style-type: none"> (a) no site or place of Aboriginal heritage significance will be impacted, or alternatively, if impacted, will be managed in accordance with Schedule 2 of the Scheme; and (b) no significant disturbance of wetlands, seagrasses or other significant habitats will result; and (c) visual landscape values are not undermined; and (d) no navigational hazard will result; and (e) the jetty forms an integral part of the total water/land use development; and (f) no significant impact on the coastal environment is created through changes in wave behaviour; and (g) (where relevant) considerable economic benefits will accrue eg improves efficiency of marine industry; and (h) written consent from the Crown is obtained; and (i) there is a contingency plan prepared to address fuel spillage and other contamination releases from users of the jetty.
<p>5.2.1.4 Extension of existing jetties: Council must approve a jetty extension provided:</p> <ul style="list-style-type: none"> (a) the jetty is no greater than 20m in length or 25% of the length of the existing jetty whichever is the lesser; or (b) the jetty obtains a depth of 1.2m at low tide <p>whichever is the lesser;</p> <p>and written consent from the Crown is obtained.</p>	<p>5.2.1.4 Council may approve an application not meeting the Acceptable Solution provided:</p> <ul style="list-style-type: none"> (a) no site or place of Aboriginal heritage significance will be impacted, or alternatively, if impacted, will be managed in accordance with Schedule 2 of the Scheme; and (b) no significant disturbance of wetlands, seagrasses or other significant habitats will result; (c) no navigational hazard will result; (d) no significant impact on coastal processes including wave action will result; and (e) written consent from the Crown is obtained; and (f) a clear community benefit can be shown.

Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
<p>5.2.1.5 Boat Sheds: The following minimum standards apply:</p> <ul style="list-style-type: none"> (a) New boats shed: All applications must be considered under the Alternative Solution. (b) Expansion of existing boat sheds: Must be approved where: <ul style="list-style-type: none"> (i) the complete shed has a height not greater than 3m in the case of a skillion roof or 3.5m for a gabled or hip roof; and (ii) the boat shed has a length no greater than 7m; and (iii) has an area of no greater than 30 sq.m; and; (iv) is not used for any purpose other than storage; and (v) contains no hand basins, cooking facilities or habitable rooms; and (vi) no unpainted metal products are used for wall or roof cladding. 	<p>5.2.1.5: Council may approve new boat sheds or the expansion of existing boat sheds which cannot meet the Acceptable Solutions provided:</p> <ul style="list-style-type: none"> (a) no site or place of Aboriginal heritage significance will be impacted, or alternatively, if impacted, will be managed in accordance with Schedule 2 of the Scheme; and (b) the boat shed is not detrimental to public access; and (c) the presence of the boat shed is consistent with the land use/water zoning objectives; and (d) visual impacts are minimised; and (e) the boat shed is part of an integrated plan for the current and future use of the entire property; and (f) the boat shed is not used for any purpose other than storage; and (g) there are no hand basins, cooking facilities or habitable rooms; and (h) non reflective materials are used on walls and roof cladding.
<p>5.2.1.6 New Boat Ramps: All applications for development must be considered under the Alternative Solution.</p>	<p>5.2.1.6: A new boat ramp may be approved where:</p> <ul style="list-style-type: none"> (a) it can be demonstrated that there is clear community benefit; and (b) no adverse environmental impact will result.
<p>5.2.1.7 New Slipways: All applications for development must be considered under the Alternative Solution.</p>	<p>5.2.1.7: Council may approve an application for development not meeting the Acceptable Solution where it is demonstrated that:</p> <ul style="list-style-type: none"> (a) no site or place of Aboriginal heritage significance will be impacted, or alternatively, if impacted, will be managed in accordance with Schedule 2 of the Scheme; and (b) a plan for management of wastes generated in slipping and boat maintenance activities that subsequently occur is prepared, with particular attention given to TBT based ant-fouling.
<p>5.2.1.8 Canal Estates: Canal estates are not permitted.</p>	<p>5.2.1.8: Canal estates are not permitted.</p>

Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
5.2.1.9 Dredging and/or reclamation: All applications for dredging and/or reclamation must be considered under the Alternative Solution.	5.2.1.9: Council may approve dredging and/or reclamation in any circumstances where it can be shown that: <ul style="list-style-type: none"> (a) the level of disturbance of seagrass beds or other sensitive ecosystems is minimised; and (b) a plan of management for the disposal of extractive material is prepared which adequately explains the processes and procedures to be followed in winning, transport and disposal of all extractive materials obtained; and (c) initial and long term environmental impacts can be managed (eg soil acidity); and (d) adequate treatment of land/water interface including design of batters if reclamation is to occur; and (e) wave action is analysed where appropriate; and (f) cumulative impact within the area is insignificant; and (g) sources of sedimentation are identified and conditions can be imposed to reduce the supply of sediment if above natural rates of sediment movement are identified.
5.2.1.10 Coastal Access: Use or development must not interfere with (existing or planned) formal public pedestrian access to and along the coast.	5.2.1.10: Existing formal public access to and along the coast must be maintained and enhanced except where public and pedestrian safety or protection of natural and cultural features would be at risk.

ISSUE 2: Riparian Vegetation and water quality	PRINCIPLE To maintain riparian vegetation as natural filters for nutrients and soluble pollutants, to prevent erosion and increased sediment flows and to provide for biological diversity.
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Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)								
5.2.2.1 Vegetation removal: No vegetation other than environmental weeds are to be removed within the following distances of waterways or the coastal area: <table> <tr> <td>Class 1 or the coastal area</td><td>40m</td></tr> <tr> <td>Class 2</td><td>30m</td></tr> <tr> <td>Class 3</td><td>20m</td></tr> <tr> <td>Class 4</td><td>10m</td></tr> </table>	Class 1 or the coastal area	40m	Class 2	30m	Class 3	20m	Class 4	10m	5.2.2.1: Council may approve an application for use or development not meeting the Acceptable Solution provided that it can be demonstrated through a plan of management how: <ul style="list-style-type: none"> (a) the filtering of nutrients and soluble pollutants will be maintained; and (b) increased sediment flows are prevented; and (c) biological diversity is maintained.
Class 1 or the coastal area	40m								
Class 2	30m								
Class 3	20m								
Class 4	10m								

ISSUE 3: Road and Access Construction	PRINCIPLE: To ensure that the design and location of roads and access tracks do not result in erosion, siltation or a reduction of water quality of wetlands and waterways.								
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)								
<p>5.2.3.1 Roads near waterways: Roads and accesses constructed parallel to a waterway are to meet the following minimum standards:</p> <table data-bbox="347 562 794 689"> <tr> <td>Class 1 or the coastal area</td><td>40m</td></tr> <tr> <td>Class 2</td><td>30m</td></tr> <tr> <td>Class 3</td><td>20m</td></tr> <tr> <td>Class 4</td><td>10m</td></tr> </table> <p>Except for crossings which are to be at right angles.</p>	Class 1 or the coastal area	40m	Class 2	30m	Class 3	20m	Class 4	10m	<p>5.2.3.1: Council may approve the construction of a road near or across a waterway or which would cross a waterway at an angle of less than 90 degrees provided it can be demonstrated that;</p> <ul style="list-style-type: none"> (a) there will be no interference with the stream hydrology, and (b) measures can be implemented to minimise erosion both upstream and downstream of the crossing both during and post construction; and (c) such works will be in accordance with a soil and water management plan prepared for the site.
Class 1 or the coastal area	40m								
Class 2	30m								
Class 3	20m								
Class 4	10m								
<p>5.2.3.2 Location of Quarries, borrow pits and spoil dumps: Quarries, borrow pits and spoil dumps for road construction are not to be established or operated within:</p> <table data-bbox="347 994 794 1122"> <tr> <td>Class 1 or the coastal area</td><td>40m</td></tr> <tr> <td>Class 2</td><td>30m</td></tr> <tr> <td>Class 3</td><td>20m</td></tr> <tr> <td>Class 4</td><td>10m</td></tr> </table>	Class 1 or the coastal area	40m	Class 2	30m	Class 3	20m	Class 4	10m	<p>5.2.3.2: None.</p>
Class 1 or the coastal area	40m								
Class 2	30m								
Class 3	20m								
Class 4	10m								
<p>5.2.3.3 Bridges and crossing design for flood: Permanent bridges and crossings are to be designed to withstand the 1 in 50 year flood level and not obstruct fish passage.</p>	<p>5.2.3.3 None.</p>								

6.0 Attenuation Distances Schedule

6.1 Objectives of the Schedule

6.1.1 The purpose of this schedule is to avoid potential land use conflicts.

6.2 Application of the Schedule

6.2.1 Use or development is to be undertaken in accordance with the standards listed in Table S6.1.

Table s6.1 Principles and Scheme Standards for Attenuating Distances

ISSUE 1: Attenuation distances	PRINCIPLE To minimise the potential for conflict between uses sensitive to hazard emission and those uses likely to create a hazard emission.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
<p>6.2.1.1 Distances: Sensitive uses must have a minimum separation from activities listed in Table S6.2 in accordance with the attenuation distances prescribed by that table. This requirement does not apply to any existing sensitive uses within the Industrial zone.</p>	<p>6.2.1.1: Council may approve an application to reduce the attenuation distances between sensitive uses and activities below the standards listed in Table S6.2 provided it can be demonstrated that occupants and users of the sensitive use will not be adversely affected by hazard emissions or environmental nuisance.</p> <p>Matters to be taken into account include:</p> <ul style="list-style-type: none"> (a) the degree of encroachment, (b) the degree of hazard or pollution that may emanate from the emitting operation, (c) where the emitting operation is existing, the level of investment in the facility, and the value of the facility to the local or regional economy; and (d) topography, climate and other specific circumstances.
<p>6.2.1.2 Subdivision: All applications for subdivision for the purposes of allowing or facilitating for sensitive uses within the recommended attenuation distances identified in Table S6.2 must be considered under the Alternative Solution.</p>	<p>6.2.1.2: Council may approve an application for subdivision for a sensitive use(s) provided:</p> <ul style="list-style-type: none"> (a) the subdivision creates lots which are outside the the standard recommended attenuation buffer; or (b) any lots within the standard recommended attenuation buffer are designed with respect to wind patterns, topography, landscaping and other measures which will minimise the risk of nuisance as defined in EMPCA to acceptable levels.

Table s6.2 Attenuation Distances

Activity	Comment	Distance (m) to sensitive use
Abattoirs (primary)	Large animals, greater than 100 tonnes/year production (odour, noise)	500
	Large animals, less than 100 tonnes/year production (odour, noise)	300
	Small animals eg poultry (odour, noise)	300
Abattoirs (secondary)	rendering etc (odour)	1000
Agricultural uses (not otherwise specified)	tree farming etc	100
Pre-mix bitumen plants (eg batching)	mobile and static (odour)	500
Boilers	(odours, particulates)	100
Bricks, tiles, pipes etc	(noise, dust)	200
Composting (vegetation only)	with or without turning	500
Composting (animal wastes)	incorporating human and animal wastes, with turning (odours)	1000
Concrete batching plants	(noise, dust)	100
Concrete or stone articles	not pipe extrusion (noise, dust)	100
Crematoria	(odour, particulates)	300
Dairy products	(odour)	100
Disposal site	(odours, noise, dust, disease vectors, visual)	
	< 100 tonnes of waste per year	300
	> 100 tonnes of waste per year	500
	transfer station (odour, disease vectors, noise, visual)	150
	non putrescible waste	50
	spray irrigation of liquid wastes of animal and vegetable origin (odour, disease vectors, noise, visual)	
Feedlot	Primary treated	500
	Secondary treated	200
	cattle (odours)	3000

Fibreglass manufacturing	(odour)	200
Fish processing (primary)	Fish filleting etc (odour, noise, lights)	100
Fish processing (secondary)	Fishmeal production etc	1000
Flour mills	(particulates, noise)	300
Foundry	(odour, particulates, noise)	1000
Liquid waste treatment	eg treatment lagoons for washdown, processing effluent etc (odour)	200
Metal fabrication	(noise, odour)	500
Organic waste treatment	eg pig and cattle slurry (odour)	500
Piggery	intensive husbandry (odour)	500
Poultry	intensive husbandry (odour)	500
Quarry/Pit etc	no blasting, crushing or vibratory screening (noise and dust)	300
	blasting (noise, vibration, dust)	1000
	Crushing (noise, dust)	750
	Vibratory screening (noise, dust)	500
	stock (odours, noise)	
Saleyard	(noise, particulates)	150
Sawmill	including woodwaste burnt in approved incinerator, or use of woodchipper, or use of internal combustion powered chainsaw	300
Sewage treatment plants	See Table S6.3	See Table S6.3
Smallgoods		100
Storage	Petroleum products and crude oil (odour, noise)	
	• With fixed roofs	300
	• With floating roofs	100
	Wet salted or unprocessed hides	300
Wood preservation	(odour, noise)	100
Wood chipper	(noise)	500

Table s6.3 Attenuation Distances for Sewage Treatment Plants

Type of Installation		Installation Treatment Capacity			
		Designed Capacity Dry Weather Flow			
	KL / Day	<275	<1375	<5500	<13750
	Person equivalent	<1000	<5000	<20000	<50000
Distances given in m					
Aerobic pondage (septic effluent)		100			
Mechanical / biological treatment (includes trickling filters and the pasveer system).		100	200	300	400
Sludge drying beds / sludge digesters (not operated within enclosed premises).		150	250	300	400
Aerobic ponds		150	350	700	1000
Anaerobic ponds		400	550	700	850
Facultative ponds		300	700	1400	2200
Land disposal of secondary treatment effluent (use of land irrigated by effluent must comply with N.H.M.R.C guidelines).					
• Spray irrigation		200	200	200	200
• Flood irrigation		50	50	50	50

7.0 Bushfire Prone Areas Schedule

7.1 Objectives of the Schedule

7.1.1 The purpose of this schedule is to minimise the loss of life and property from bushfire.

7.2 Application of the Schedule

7.2.1 Use or development is to be undertaken in accordance with the standards listed in Table S7.1.

Table s7.1 Principles and Standards for Development in Bushfire Prone Areas

ISSUE 1:	PRINCIPLE
Subdivision design	The design, siting and layout of subdivisions in bushfire prone areas should minimise fire risks.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
<p>7.2.1.1 Bushfire Protection Zones: Each lot within a subdivision in an area defined as being bushfire prone shall have sufficient area and dimensions to contain within its boundaries a BPZ and FMBZ (in accordance with Table S7.2 and Figure S7.1) for the purpose of separating existing or proposed dwellings from the bushfire hazard.</p>	<p>7.2.1.1: A lot(s) is to be of sufficient size and dimensions to provide sufficient fuel reduced areas so buildings are not subject to threatening levels of flames and radiation during a bushfire.</p>

Figure s7.1

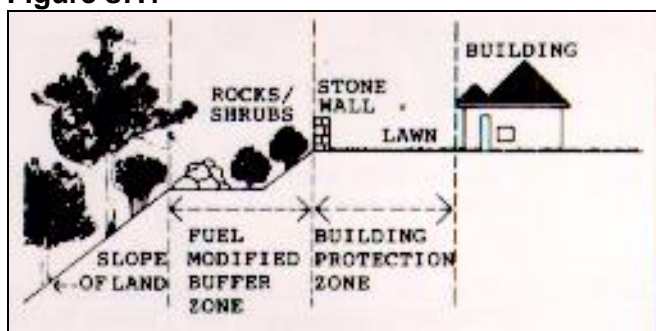


Table s7.2 – Bushfire Protection Buffer Zones

Slope	Building Protection Zone (Width in Metres Along Ground)	Fuel Modified Buffer Zone (Width in Metres Along Ground)	
		Grassland	Forest
Flat	20	10	15
5 degrees	20	15	25
10 degrees	25	20	30
15 degrees	30	30	45
20 degrees	40	40	50

1. A BPZ and FMBZ shall be maintained for the distances specified above. The distances specified are measured radially from the walls of the building(s) or where there are no existing buildings, from the boundary of the building envelope.
2. If the required width of the BPZ is exceeded, the width of the FMBZ may be reduced by that additional width of fuel reduced areas.
3. The width of the BPZ cannot be reduced.
4. In reticulated water supply areas, the width of the FMBZ may be reduced if other fire protection measures acceptable to the Tasmania Fire Service and Council are incorporated into the development.

ISSUE 2: Access	PRINCIPLE: Use or developments is to be provided with safe access for emergency and other vehicles.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
<p>7.2.2.1 Road Layout: The following minimum standards apply:</p> <ul style="list-style-type: none"> (a) new no-through roads shall not exceed 200m in length or service more than 8 lots; and (b) new roads shall connect in at least two directions to a non-bushfire prone area (by road not a fire trail). 	<p>7.2.2.1: Council may approve a non-through road (or a subdivision which will eventually connect to roads beyond the bushfire prone area) where a fire trail is provided to the satisfaction of the Tasmania Fire Service and constructed in accordance with Table S7.4.</p>
<p>7.2.2.2 Access construction: Access construction is to comply with Table S7.3.</p>	<p>7.2.2.2: Council may approve an access that does not meet the Acceptable Solutions having regard to:</p> <ul style="list-style-type: none"> (a) provision of safe access at all times; (b) physical characteristics and major drainage functions; (c) provision of turning areas for emergency and other vehicles at the end of all accesses; (d) the width of access required to allow simultaneous use by emergency and other vehicles.
<p>7.2.2.3 Staged development: Where subdivision is staged and access will extend beyond the bushfire prone area, once all stages are completed, Council may approve the subdivision subject to provision of a suitably constructed fire trail in accordance with Table S7.4.</p>	<p>7.2.2.3: None.</p>

Table s7.3 Minimum Access Construction

Element	Requirement
Pavement type	All-weather construction
Minimum load limit	20 tonnes (including bridges, culverts and other road structures)
Minimum trafficable width	6 m ^{1&2} (may include consolidated, formed, surfaced and drained shoulders)
Minimum clearance	4 m on each side of the centre line of the access for a height of 4 m
Maximum gradient	1 in 8 (12.5%)
Curves	Minimum inner radius of 10 m
Dips	Not more than 1 in 8 (12.5%) entry and exit angle
Maximum cross fall	1 in 33 (3%)
Minimum turning area	<ul style="list-style-type: none"> • A circular turning area with a minimum trafficable radius of 10 m (shoulders, seal or other consolidated edges may be acceptable); or • hammerhead 'T' or 'Y' turnarounds with minimum 4 m width and total length of 16 m

1. Where 8 or less lots are being serviced, an access with trafficable width of 4 m for a maximum of 90m length may be provided.

2. Where the access is less than 6 m trafficable width, passing bays of a minimum length of 20 m must be provided every 200 m along the access. The combined width of the access and the passing bay must be a minimum 6m.

Table s7.4 Minimum Fire Trail Construction

Element	Requirement
Pavement type	Suitable for the passage of 4WD vehicles
Minimum trafficable width	4m
Minimum clearance	3m from either side of the centre line of the fire trail for a height of 4m
Maximum gradient	1 in 6 (17%)

ISSUE 3:

Water supplies for fire suppression.

PRINCIPLE:

To ensure an adequate water supply is available for fire suppression.

Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
<p>7.2.3.1 Reticulated Supply available: All habitable buildings shall be connected to a reticulated water supply to comply with Australian Standard AS 2419 as required under the Building Code of Australia, or, with a minimum flow rate of 600 litres per minute (which ever is greater).</p>	<p>7.2.3.1: Habitable buildings are have a sufficient water supply for fire suppression purposes.</p>
<p>7.2.3.2 Min. requirements for water: Where no minimum water supply requirements are specified in the BCA the following water supply requirements apply:</p> <ul style="list-style-type: none"> (a) lots less than 2500 sq.m will have 10,000 litres of stored water for fire suppression, and (b) lots 2500 sq.m or larger will have 20,000 litres of water stored for fire suppression. 	<p>7.2.3.2: Habitable buildings are to have a sufficient water supply for fire suppression purposes.</p>
<p>7.2.3.3 Location of building envelope (reticulated water available): In areas with a reticulated water supply, the building envelope shall be not more than 120m from the nearest fire hydrant.</p>	<p>7.2.3.3: Sufficient water supply for fire suppression is to be available at all times.</p>
<p>7.2.3.4 Location of building envelope (no reticulated water): In areas where a reticulated water supply is unavailable and a static supply complying with 7.2.3.2 is provided, it shall be accessible to emergency vehicles from the lot it is intended to serve at all times.</p>	<p>7.2.3.4: Sufficient water supply for fire suppression is available at all times.</p>

7.2.3.5 Access to water for fire fighting:

Provision shall be made for emergency vehicles to access storages for fire fighting by installation of couplings, hard standing areas adjacent to storages, or delivery points for remote storages as specified in Planning Conditions and Guidelines for Subdivisions in Bushfire Prone Areas prepared by the Tasmania Fire Service (Oct. 1995) or as amended by the Tasmania Fire Service from time to time.

7.2.3.5: Water supply pipelines, fittings and storages are designed, located and fitted to ensure ready access to static supplies by emergency vehicles and a reliable supply of water during a fire.

8.0 Signs Schedule

8.1 Objectives of the Schedule

- 8.1.1 The purpose of this schedule is to ensure that use or development for a sign protects the visual amenity of the building or place on which they are located, provide necessary information for the public and do not compromise public safety. This Schedule applies to the construction, putting up for display or erection of signs as development and the continuous display as a use.

8.2 Application of the Schedule

- 8.2.1 Use or development is to be undertaken in accordance with the standards listed in Table S8.1.

Table s8.1 Principles and Standards for Signs

ISSUE 1: Number of Signs		PRINCIPLE: To permit adequate identification of businesses whilst reducing the visual complexity of the streetscape.	
Acceptable Solution (Deemed to Comply)		Alternative Solution (Requires Justification)	
8.2.1.1 Signage within the Business and Civic Use Class: The following is allowed: <ul style="list-style-type: none"> (a) forecourt – one freestanding pole sign, (b) road level façade – total of 4 signs; no more than 5 signs per frontage		8.2.1.1: Council may approve more signs that that specified in the Acceptable Solution provided that it can be demonstrated that the signs; <ul style="list-style-type: none"> (a) do not visually dominate buildings, walls, parapets or landscaped surroundings, and (b) reinforce the streetscape character, and (c) contribute to the image of buildings, and (d) relate in location and dimensions to the design of the building on which they are placed. Signs are to be limited in number per site to reduce crowding or clutter and to allow a few larger signs to be used in lieu of a greater number of signs.	
8.2.1.2 Signage within the Industrial Use Class: The following standards apply: <ul style="list-style-type: none"> (a) One sign for each approved factory unit/occupancy. A directory board visible from the road may be used for these purposes. (b) Pole signs – one per 10m of frontage so as to carry one or more messages with individually replaceable panels. 		8.2.1.2: Council may approve more signs that that specified in the Acceptable Solution provided: <ul style="list-style-type: none"> (a) no more than two relatively large signs are being used which convey multiple messages, and (b) signs will not visually dominate buildings, walls and parapets or landscaped surroundings. 	

8.2.1.3 Signage within the Residential Use Class: One nameplate or “commercial sign” directly related to a business operating from the residential use or development to be located within the boundary of the development site.	8.2.1.3: Signs should be discreet and carefully designed, so as to blend with the character of the residential area and not attract undue attention.
8.2.1.4 Signage within the Recreation, Utility, Environmental Protection and Primary Industries Use Classes: The following standards apply: <ul style="list-style-type: none"> (a) no signs shall be illuminated; (b) no more than 2 signs per site. 	8.2.1.4: Council may approve more signs that that specified in the Acceptable Solution or allow illuminated signs provided: <ul style="list-style-type: none"> (a) signs will not visually dominate buildings, walls and parapets or landscaped surroundings; (b) no traffic hazard is created; and (c) the signs scale, form and content are not inconsistent with the zone objectives.

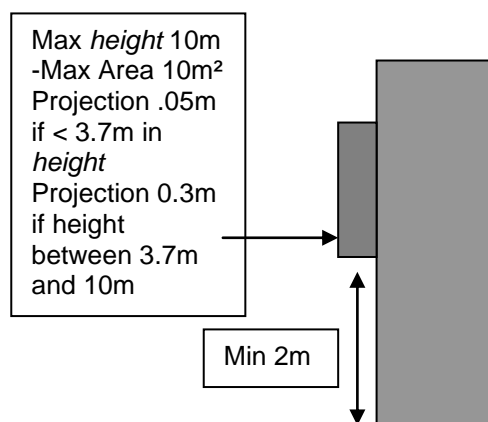
ISSUE 2: Signs and design of Signs	PRINCIPLE: To allow signs that do not detract from the overall appearance of the area in which they are erected or the building to which they are affixed.
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Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
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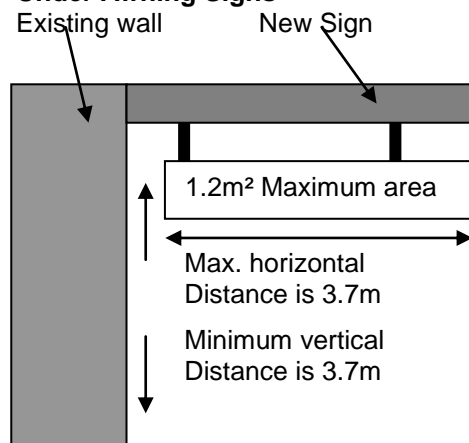
8.2.2.1 Sign Dimensions: Signs are to have the following dimensions:

8.2.2.1: In determining whether to approve a sign Council is to be satisfied that:

Wall Mounted Signs (includes painted signs)

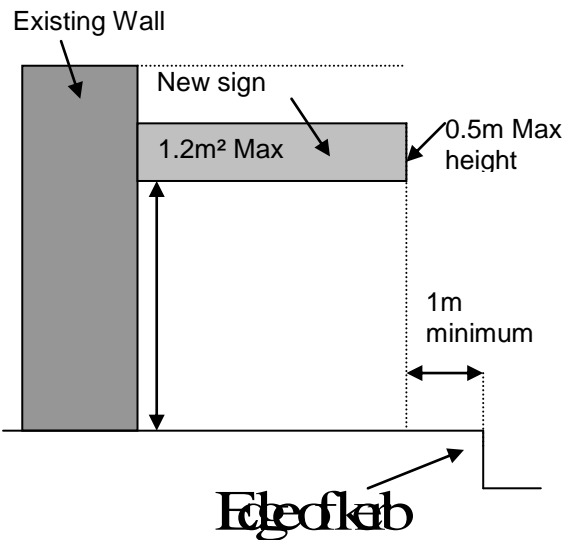


Under Awning Signs

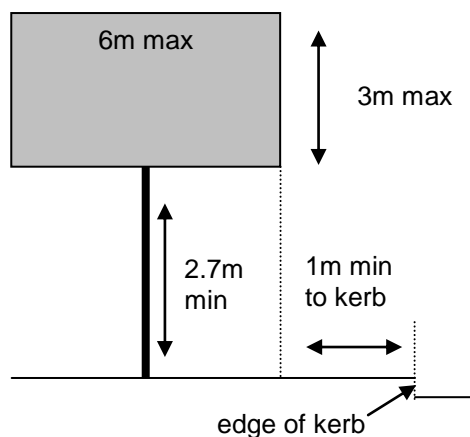


- (a) the size and dimensions of signs bear a close relationship to the size of buildings on which they are erected so that they do not dominate or become obstructive of views and vistas in the locality.
- (b) signs on one building do not to obscure the view of signs on neighbouring premises.
- (c) signs complement the architectural design of surrounding buildings.
- (d) signs on or attached to buildings are to be aligned with, and relate to, the architectural design lines on a building facade or the design lines of adjacent buildings.
- (e) signs should display easily read information.
- (f) Signs attached to public facilities (such as seating, telephone booths, waste bins or bus shelters) are to match the design setting and colours of those facilities.
- (g) animated or flashing signs should be professionally designed and not interfere with the purpose of other signs.

Horizontal Signs



Pole Signs (single or double)



- (h) Signs must not cause visual clutter through the proliferation of a number of unnecessary and intrusive signs.
- (i) Signs are not to adversely affect the appearance of the area in which they are displayed with their appearance, size, illumination, overshadowing, visual intrusion, physical obstruction, colouring, use of symbols or in any other way.

ISSUE 3:

Signs outside Urban Speed Limit

PRINCIPLE:

To ensure that roadside signs outside the Urban Speed Limit do not proliferate, detract from visual amenity or compromise road safety.

Acceptable Solution (Deemed to Comply)

Alternative Solution (Requires Justification)

8.2.3.1 Specifications: All signs that meet the standards set out in Part F(s1) of the draft Tasmanian Roadside Signs Manual (May 2001) must be approved.

8.2.3.1: None.

ISSUE 4: Location of signs not on buildings	PRINCIPLE: To ensure that signs in public road reservations meet the objectives of the Schedule.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
8.2.4.1 Direction signs: All signs that meet the standards set out in Part C(s2) of the draft Tasmanian Roadside Signs Manual (May 2001) must be approved.	8.2.4.1: Council may approve directional signs including visitor information signs not listed as exempt under Part 4 of this Scheme provided: <ul style="list-style-type: none"> (a) the sign identifies the location of a community facility such as a church, school, public oval or the like; or (b) in the case of a sign promoting a business or the products sold from that business it is of a size, design and impact which complements existing signs; and (c) preference will be given to directional signs which are presented with the directional signs of other premises on a single sign board; and (d) is in accordance with the draft Tasmanian Roadside Signs Manual (May 2001).
8.2.4.2 Public Road Reservations: Council must approve signage erected by the Road Authority in public road reservations for: <ul style="list-style-type: none"> (a) street signs, (b) road safety signs, (c) signs displaying service symbols, (d) hazard or warning signs, (e) any other sign erected by a Road Authority to advise the travelling public of road conditions consistent with the draft Tasmanian Roadside Signs Manual (May 2001).	8.2.4.2: Council may approve signs within public road reservations provided: <ul style="list-style-type: none"> (a) there is no feasible or practical alternative for erection of the sign outside the road reservation; (b) the proposed sign will not hide from view any sign erected in accordance with the acceptable solution; (c) the location and siting of the sign does not adversely affect road safety; (d) the location and siting of the sign is acceptable to the Road Authority.

9.0 Environmental Weeds Schedule

9.1 Objectives of the Schedule

- 9.1.1 The purpose of this Schedule is to ensure that environmental weeds are not incorporated into landscape plans or otherwise are allowed to impact on native vegetation.

9.2 Application of the Schedule

- 9.2.1 The Schedule (Table S9.1) lists the environmental weeds that will not be planted or encouraged to spread within the planning scheme area.
- 9.2.2 Notwithstanding any other provision of this Schedule, Schedule 9 does not apply with respect to forestry operations or agricultural uses.

Table s9.1 List of Environmental Weeds

PLANT TYPE	COMMON NAME	BOTANICAL NAME
Climbers and Creepers	Banana Passionfruit	<i>Passiflora mollissima</i>
	Bluebell Creeper	<i>Sollya heterophylla</i>
	Bridal Creeper	<i>Myrsiphtllum asparagoides</i>
	English Ivy	<i>Hedera helix</i>
	Japanese Honeysuckle	<i>Lonicera japonica</i>
	Wandering Jew	<i>Tradescantia albiflora</i>
	Blackberry	<i>Rubus fruticosus</i>
	Cape Ivy	<i>Delairea odorata</i>
Grasses, Lilies and Herbs	Blue Periwinkle	<i>Vinca major</i>
	Foxglove	<i>Digitalis purpurea</i>
	Large Quaking Grass	<i>Briza maxima</i>
	Montbretia	<i>Crocsmia x crocosmiiflora</i>
	Parrots Feather	<i>Myriophyllum aquaticum</i>
	Rice Grass	<i>Spartina anglica</i>
	Watsonia	<i>Watsonia meriana</i>
	Three cornered garlic	<i>Allium triquetrum</i>
	Pampas Grass	<i>Cortaderia spp</i>
	Ox eye Daisy	<i>Leucanthemum vulgare</i>
	Yarrow	<i>Achillea millefolium</i>
	Ragwort	<i>Senecio jaboeba</i>
	Patersons Curse	
	Winter Euryops	<i>Euryops abrotanifolius</i>
	Blue Butterfly-bush	<i>Psoralea pinnata</i>
	Boneseed	<i>Chrysanthemoides monilifera</i>
	Boxthorn	<i>Lycium ferocissimum</i>
Shrubs and Trees	Briar Rose	<i>Rosa rubiginosa</i>
	Cape Wattle	<i>Paraserianthes lophantha</i>
	Cotoneaster	<i>Cotoneaster spp.</i>
	Crack Willow	<i>Salix fragilis</i>
	Elisha's Tears	<i>Leycesteria formosa</i>
	English Broom	<i>Cytisus scoparius</i>
	Fuchsia	<i>Fuchsia magellanica</i>
	Golden Wattle	<i>Acacia pycnantha</i>
	Gorse	<i>Ulex europaeus</i>

	Hawthorn	<i>Crataegus monogyna</i>
	Holly	<i>Ilex aquifolium</i>
	Mirror bush	<i>Coprosma repens</i>
	Montpellier Broom	<i>Genista monspessulana</i>
	Radiata Pine	<i>Pinus radiata</i>
	Spanish Heath	<i>Erica lusitanica</i>
	Sweet Pittosporum	<i>Pittosporum undulatum</i>
	Tree Lucerne	<i>Cytisus palmensis</i>
	Tree Lupin	<i>Lupinus arboreus</i>
	Sallow Wattle	<i>Acacia longifolia</i>
	Wirilda	<i>Acacia retinodes</i>
	Cootamundra wattle	<i>Acacia baileyana</i>
Microscopic water mould		<i>Phytophthora cinnimomi</i>

10.0 Protected Vegetation Schedule*

(*PSA-2012-2 g. 20/11/12)

10.1 Objectives of the Schedule

- 10.1.1 The objective of this schedule is to ensure that native vegetation communities identified as having conservation value are protected as far as practicable.

10.2 Application of the Schedule

- 10.2.1 Table s10.2 in this Schedule lists the native vegetation communities worthy of conservation within the planning scheme area.
- 10.2.2 Proposals for use or development within any zone must have regard to the environmental strategies identified in Part 2 where any native vegetation community listed in Table s10.2 is affected.
- 10.2.3 Use or development is to be undertaken in accordance with the standards listed in Table s10.1.
- 10.2.4 Notwithstanding any other provisions of this Schedule, Schedule 10 does not apply to:
- (a) forestry operations; or
 - (b) land within 2 metres of a title boundary for the purpose of erecting or maintaining a boundary fence; or
 - (c) agricultural uses in the Primary Industries zone where the agricultural use depends on the soil as the growth medium.
- 10.2.5 In this Schedule:

Biodiversity offsets are a form of mitigation for the potential impacts of a proposed development on natural values, when alternatives and options to avoid those impacts have been exhausted and it has been determined that an offset is appropriate.

Offsets are actions that contribute to the conservation of natural values outside of the development footprint, and can include reservation, active management, and other actions that demonstrate a conservation benefit for a particular natural value.

Clearance and conversion means the process of removing all or most of a native vegetation community from all or part of the site and:

- (a) leaving all or part of the site, on a permanent or extended basis, in an unvegetated state; or
- (b) replacing the native vegetation so removed, on a permanent or extended basis, with any, or any combination of, the following:
 - (i) another community of native vegetation;
 - (ii) non-native vegetation;
 - (iii) agricultural works;
 - (iv) residential, commercial or other non-agricultural development; or
- (c) a combination of (a) and (b).

Conservation value means the significance of a particular patch of native vegetation for retention and protection and is based on the status of the vegetation at the national, state and bioregional scale, the quality and condition of the vegetation, the size of the patch, the diversity of habitats and ecosystems within the vegetation, the location and function of the vegetation in the landscape and whether or not the vegetation provides known or potential habitat for threatened or priority species.

Disturbance means the alteration of the structure and species composition of a native vegetation community through actions including cutting down, felling, thinning, logging, removing, destroying, poisoning, ringbarking, uprooting, grazing by domestic animals, slashing or burning.

High priority native vegetation community means a native vegetation community identified in Table s10.2 as a high priority native vegetation community.

Moderate priority native vegetation community means a native vegetation community identified in Table s10.2 as a moderate priority native vegetation community.

Native vegetation community means any indigenous plant community containing throughout its growth, the complement of native species and habitats normally associated with that vegetation community or having the potential to develop these characteristics. It includes vegetation with these characteristics that has been regenerated with human assistance following disturbance. It includes seral stages and disclimax communities. It includes all TASVEG mapping communities except FAG, FPF, FMG, FPE, FPL, FSM, FUM, OAQ, FUR, FWU & OSM.

Table s10.1 Standards for Protected Vegetation

ISSUE 1: Clearance and conversion or disturbance of vegetation	PRINCIPLE: To ensure that vegetation identified as warranting protection and conservation is afforded suitable management
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
10.2.1.1 Clearance and conversion or disturbance of a high priority native vegetation community identified in Table s10.2: All applications for development must be considered under the Alternative Solution.	<p>10.2.1.1: Council may consider an application that would result in clearance and conversion or disturbance of a high priority native vegetation community identified in Table s10.2 where:</p> <ul style="list-style-type: none"> (a) it is demonstrated that the proposal is consistent with the objective of this schedule and the relevant zone objectives; and, (b) exceptional circumstances can be demonstrated. In the context of Schedule 10, exceptional circumstances are considered to exist where:

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- (i) the affected high priority native vegetation community has little to no potential for recruitment or for long term persistence in the landscape irrespective of ongoing management; or,
 - (ii) the clearance and conversion or disturbance of a high priority native vegetation community is necessary to enable infrastructure or economic development projects of local significance and there is no feasible alternative location or design; or,
 - (iii) the clearance and conversion or disturbance of a high priority native vegetation community is of a very limited scale relative to other high priority native vegetation on the site and is offset in accordance with 10.2.1.1 (c) (i).
and,
 - (c) it is accompanied by a biodiversity offset proposal that addresses the provisions in Clause 10.2.2.1 and results in either;
 - (i) the in situ protection of the higher conservation value areas of the native vegetation community on part of the site in accordance with the replacement ratios for offsets in Table s10.5 and the implementation of additional offset measures to mitigate any net loss of such vegetation and associated conservation values in accordance with biodiversity offset options in Table s10.3; or,
 - (ii) the implementation of offset measures in accordance with Table s10.3 for the extent of the loss of all such vegetation and associated conservation values, where it can be demonstrated that conserving the higher conservation values on part of the site is not feasible.
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<p>10.2.1.2 Clearance and conversion or disturbance of a moderate priority native vegetation community identified in Table s10.2: All applications for development must be considered under the Alternative Solution.</p>	<p>10.2.1.2: Council may consider an application that would result in clearance and conversion or disturbance of a moderate priority native vegetation community identified in Table s10.2 where:</p> <ul style="list-style-type: none"> (a) it is demonstrated that the proposal is consistent with the objective of this schedule and the relevant zoning objectives; and, (b) it is accompanied by a biodiversity offset proposal that addresses the provisions in Clause 10.2.2.1 and results in either: <ul style="list-style-type: none"> (i) the in situ protection of the higher conservation value areas of the native vegetation community on part of the site in accordance with the replacement ratios in Table s10.5 and the implementation of additional offset measures to mitigate any net loss of such native vegetation communities and associated conservation values in accordance with Table s10.3; or, (ii) the implementation of offset measures in accordance with Table s10.3 for the extent of the loss of all such native vegetation communities and associated conservation values, where it can be demonstrated that conserving the higher conservation values on part of the site is not feasible.
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<p>ISSUE 2: Biodiversity offsets to mitigate the clearance and conversion or disturbance of vegetation listed in Table s10.2</p>	<p>PRINCIPLE: To ensure as a minimum there is no long-term net loss of biodiversity and environmental values, and aim to achieve a net gain, and, To protect, conserve and restore native vegetation patches of a size, quality and configuration that will enable the conservation values of the native vegetation community to be viable in the long-term.</p>
<p>Acceptable Solution (Deemed to Comply)</p>	<p>Alternative Solution (Requires Justification)</p>
<p>10.2.2.1 Biodiversity offsets: All applications for development involving biodiversity offsets to mitigate the clearance and conversion or disturbance of native vegetation communities listed in Table s10.2 must be considered under the Alternative Solution.</p>	<p>10.2.2.1: Council may approve an application involving a biodiversity offset proposal where:</p>

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- (a) the scale, scope and suitability of the biodiversity offset options are in accordance with the objectives and provisions of this Schedule; and,
 - (b) the biodiversity offset options are in accordance with Tables s10.3; and,
 - (c) a replacement ratio consistent with Table s10.5 is achieved; and,
 - (d) the biodiversity offset options enhance the protection and effective management of the conservation values of the offset site in perpetuity through securing a conservation covenant under the *Nature Conservation Act 2002*, an agreement under Part 5 of the *Land Use Planning and Approvals Act 1993* or transferral to public ownership; and,
 - (e) it is accompanied by an offset management plan that is consistent with the objectives and provisions of this Schedule, identifies the biodiversity offset options proposed and specifies the ongoing management requirements to achieve the biodiversity offset options and covers a 5 year period at a minimum; and,
 - (f) land upon which the biodiversity offset proposal is implemented must be the same native vegetation community and habitat type, of equivalent or better condition and within the same catchment where practicable. Offsetting one native vegetation community with another may only be considered where it is demonstrated that this achieves a significantly enhanced conservation outcome; and,
 - (g) the biodiversity offset proposal demonstrates it achieves a net benefit for biodiversity conservation.
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Table s10.2 Vegetation Priorities in the Planning Scheme Area

High priority native vegetation communities
<i>Eucalyptus amygdalina</i> forest and woodland on sandstone (DAS)
<i>Eucalyptus tenuiramis</i> forest and woodland on sediments (DTO)
<i>Eucalyptus ovata</i> forest and woodland (DOV)
<i>Eucalyptus globulus</i> dry forest and woodland (DGL)
<i>Eucalyptus amygdalina</i> forest on mudstone (DAM)
<i>Eucalyptus viminalis</i> grassy forest and woodland (DVG)
<i>Eucalyptus viminalis-Eucalyptus globulus</i> coastal forest and woodland (DVC)
<i>Eucalyptus amygdalina</i> forest and woodland on dolerite (DAD) *
<i>Eucalyptus amygdalina</i> coastal forest and woodland (DAC) *
<i>Eucalyptus tenuiramis</i> forest and woodland on dolerite (DTD) *
<i>Allocasuarina verticillata</i> forest (NAV)
Lowland <i>Themeda triandra</i> grassland (GTL)
<i>Eucalyptus coccifera</i> forest and woodland (DCO)
<i>Callitris rhomboidea</i> forest (NCR)
<i>Nothofagus-Phyllocladus</i> short rainforest (RMS)
<i>Leptospermum</i> with rainforest scrub (RLS)
<i>Nothofagus-Leptospermum</i> short rainforest (RML)
<i>Acacia melanoxylon</i> swamp forest (NAF)
<i>Leptospermum</i> scrub (SLW) with or without scattered <i>E ovata</i> / <i>E viminalis</i> / <i>E tenuiramis</i> / <i>E obliqua</i> , scattered <i>E tenuiramis</i> woodland
<i>Notolea-Pomaderris-Beyeria</i> forest (NNP)
Freshwater aquatic herbland (AHF)
Saline aquatic herbland (AHS)
Wetlands (undifferentiated) (AWU)
Lacustrine herbland (AHL)
Saline sedgeland/rushland (ARS)
Freshwater aquatic sedgeland and rushland (ASF)
Succulent saline herbland (ASS)
Coastal grass and herbfield (GHC)
Eastern alpine heathland (HHE)
Eastern alpine sedgeland (HSE)
Lowland grassland complex (GCL)
<i>Leptospermum</i> scrub (SLW) with scattered <i>Eucalyptus globulus</i> woodland
Broad-leaf scrub (SBR) with scattered <i>Eucalyptus globulus</i> woodland
<i>Eucalyptus regnans</i> forest (old growth) (WRE)
<i>Eucalyptus pauciflora</i> forest and woodland not on dolerite (old growth) (DPO)
<i>Eucalyptus rodwayi</i> forest and woodland (DRO)

Eucalyptus viminalis wet forest (WVI)
Eucalyptus subcrenulata forest and woodland (WSU)
 Freshwater aquatic sedgeland and rushland (ASF)
 Lowland sedgy heathland (SHL) (scattered *Eucalyptus amygdalina*)
Eucalyptus pulchella forest and woodland (DPU) with >20% *Eucalyptus ovata*, *Eucalyptus globulus* or *Eucalyptus viminalis*
Allocasuarina littoralis forest (NAL)
Banksia marginata wet scrub (SBM)
 Rainforest fernland (RFE)
 Riparian scrub (SRI)
 Seabird rookery complex (SRC)
 * Only on southern Bruny Island where it occurs in the Southern Ranges bioregion

Moderate priority native vegetation communities

Buttongrass moorland (undifferentiated) (MBU)
 Coastal heathland (SCH) with/without emergent *Eucalyptus*
 Restionaceae rushland (MRR)
 Wet heathland (SHW)

Table s10.3 Biodiversity Offset Options

A biodiversity offset proposal must include one or more of the following options and must include at least one of options a, b or c below. A biodiversity offset proposal only involving either option a, b or c in isolation may be considered where it can be demonstrated it is consistent with the objectives and provisions of this Schedule.

Option	Description
a. In situ conservation via a conservation covenant under the <i>Nature Conservation Act 2002</i> , an agreement under Part 5 of the <i>Land Use Planning and Approvals Act 1993</i> or transferral to public ownership	Covenanted or protecting in perpetuity remaining areas on the site with comparable values.
b. Ex-situ conservation via a conservation covenant under the <i>Nature Conservation Act 2002</i> , an agreement under Part 5 of the <i>Land Use Planning and Approvals Act 1993</i> or transferral to public ownership	Covenanted or protecting in perpetuity an area of sufficient size and with comparable values to those being lost, but off-site.

c. Financial offsets	Financial offsets calculated at a rate per hectare of a native vegetation community as identified in Table s10.2 or per tree of conservation value as identified in Table s10.4. The financial offset charge is to be calculated on the basis set by Council under the provisions of the <i>Local Government Act 1993</i> and must be paid into a reserve trust fund established by Council for this purpose.
d. Restoration	Restoration of areas on or off site with similar values but in poorer condition to improve their condition and increase their long-term viability. Note this option must be used in conjunction with offsetting options a, b and/or c.
e. Rehabilitation	Revegetation and rehabilitation of degraded areas on or off site with the aim of restoring values equivalent to those being lost. Note this option must be used in conjunction with offsetting options a, b and/or c.
f. Survey/mapping	Surveying and mapping of significant values to inform their ongoing strategic management and conservation. Note this option must be used in conjunction with other offsetting options a, b and/or c.

Table s10.4 Conservation Value of Individual Trees

Species (> 10m height)	Characteristics	Rationale	Conservation Value
<i>Eucalyptus globulus</i> or <i>E. ovata</i>	Diameter at Breast Height (DBH) >40cm and/or canopy spread >6m	Swift parrot foraging habitat	Very high
<i>E. viminalis</i>	Within or directly adjacent to a known forty-spotted pardalote colony	Forty-spotted pardalote habitat	Very high
Native trees with known or potential nesting hollows	DBH > 70cm and/or hollows present	Habitat for hollow dependent species	Very high
<i>Eucalyptus globulus</i> or <i>E. ovata</i>	DBH <40cm and canopy spread <6m	Swift parrot foraging habitat	High
<i>E. viminalis</i>	Within 3,000m of a known forty-spotted pardalote colony or within forty-spotted pardalote habitat	Forty-spotted pardalote habitat	High
Dominant eucalypt species in a native vegetation community listed in Table s10.2	Trees with a DBH >40cm	Key component of a native vegetation community listed in Table s10.2	Moderate

Table s10.5 Replacement Ratios for Biodiversity Offsets

The replacement ratio applied will depend on the condition and priority level of the conservation values being lost and whether or not there are additional conservation values present, such as threatened species habitat. Replacement ratios are provided below.

Conservation Value	Ratio		
	Good condition	Moderate Condition	Poor Condition
High priority native vegetation community	5:1	4:1	3:1
Moderate priority native vegetation community	4:1	3:1	2:1
Moderate priority native vegetation community with known threatened species habitat	5:1	4:1	3:1

11.0 Potentially Contaminated Lands Schedule

11.1 Objectives of the Schedule

- 11.1.1 The purpose of this schedule is to ensure that the use or development of contaminated land does not have an adverse impact on human health and safety or the environment.

11.2 Application of the Schedule

- 11.2.1 Use or development is to be undertaken in accordance with the standards listed in Table S11.1.

Table s11.1 Objectives and Standards for Potentially Contaminated Land

ISSUE 1: Contamination	PRINCIPLE: To ensure that human health and safety and the environment is not adversely impacted by contaminated land.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
<p>11.2.1.1 Sites potentially contaminated: Where a site is to be used or developed for a sensitive use, public open space or recreational activities, it must be demonstrated that the site has not been used for an activity listed in Table S11.2.</p>	<p>11.2.1.1: Where a site is to be developed for a sensitive use, public open space or recreational activities and it cannot be demonstrated that it has not been used for an activity listed in Table S11.2, a detailed site investigation report shall be undertaken by a suitably qualified person.</p> <p>Where the detailed site investigation report reveals that the land is contaminated, details of the proposed remediation measures which are to be undertaken to decontaminate the land to a standard appropriate for the intended use must be provided.</p>
<p>11.2.1.2 Soil removal: Where soil is to be removed from a site previously used for an activity listed in Table S11.2, it must be assessed for contamination by a suitably qualified person prior to disposal.</p> <p>Where the soil is found to be contaminated, it must be demonstrated how the soil is to be treated in order to ensure that maximum concentrations and leachability of contaminants will be kept within acceptable levels for disposal.</p>	<p>11.2.1.2:None.</p>

11.2.1.3 Dust and runoff from contaminated sites: Where use or development is to be undertaken on a site previously used for an activity listed in Table S11.2, dust and stormwater runoff from site works during the construction phase must be contained within the site or treated to remove contaminants to acceptable levels.

11.2.1.3:None.

Table s11.2 Potentially Contaminating Activities

Potentially Contaminating Activities	
Acid / Alkali plant and formulation	Laboratories
Airports	Landfill sites
Asbestos production or disposal	Lime works
Bodyworks	Marinas and associated boat yards
Bottling works	Metal treatment
Breweries	Mining and extractive industries
Brickworks	Petroleum product or oil storage
Bus/truck parking areas	Paint formulation and manufacture
Cement Works	Pesticide manufacture and formulation
Cemeteries	Pharmaceutical manufacture and formulation
Ceramic works	Power stations
Chemical manufacture and formulation	Railway yards
Chemical storage	Rifle ranges
Coal handling and storage	Rubber or plastic works
Defence works	Sawmills and joinery works
Drum re-conditioning works	Scrap yards
Dry cleaning establishments	Service stations
Electroplating and heat treatment premises	Smelting and refining
Electrical transformers	Tanning and associated trades
Ethanol production plants	Transport / storage depots
Engine works	Tyre manufacturing and retreading works
Explosives industries	Waste treatment plants
Fertiliser manufacturing plants	Wood storage and treatment
Foundry operations	Wood preservation
Gas works	Sites of incidents involving spillage of hazardous material
Glass manufacturing works	Sites of fires involving hazardous materials
Herbicide manufacture	Spray mixing sites
Horticulture	Sheep and cattle dips
Intensive agriculture	Pesticide disposal sites
Iron and steel works	

12.0 Telecommunications Infrastructure Schedule

12.1 Objectives of the Schedule

12.1.1 The purpose of this schedule is to:

- (a) accommodate the provision of telecommunications infrastructure to allow equitable access by all residents, whilst minimising the impact of such infrastructure on community values in accordance with the objectives of the Resource Management and Planning System;
- (b) encourage co-location and sharing of facilities, where such capacity exists, and where doing so will not compromise the principles defined in Table S12.1; and
- (c) ensure proposals for the installation of telecommunications infrastructure forms part of a local or regional network plan to enable consideration of the application on a broader and potentially regional basis.

12.2 Application of the Schedule

12.2.1 Use or development is to be undertaken in accordance with the standards listed in Table S12.1.

12.2.2 To the extent that any statement contained in this schedule is inconsistent with any other provision of the Scheme, the provisions of the schedule shall apply in relation to telecommunication infrastructure.

Table S12.1 Objectives and Standards for Telecommunications Infrastructure

ISSUE 1:* Visual amenity (*Am.B4 g. 11/4/05)	PRINCIPLE: The principles are to: (a) minimise any detrimental impact upon the visual amenity of a locality by reducing prominence of the telecommunications infrastructure; (b) protect important public views such as vistas to significant public buildings, streetscapes and heritage precincts; and (c) avoid obstruction of private views from the building line/principle windows by telecommunication lines.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
12.2.1.1 Visual amenity impacts of telecommunications infrastructure: All applications for use or development must be assessed under the Alternative Solution	12.2.1.1: Council may with respect to telecommunications infrastructure approve: <ul style="list-style-type: none"> (a) the locating of infrastructure within existing utility corridors but only if the need to do otherwise is demonstrated; (b) aerial telecommunication lines or additional structures to be erected and operated in residential and commercial areas but only if overhead cables operated by other utilities are in existence; (c) clearing for infrastructure corridors and facilities where it is minimised to limit visible prominence while responding to functional and safety requirements;

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- (d) development provided it:
 - (i) avoids skyline positions (ie where a structure would be seen in silhouette);
 - (ii) crosses hills diagonal to the principle slope or crosses at the low point of a saddle between hills; or
 - (iii) is located around the base of hills or along the edge of existing clearings

unless a need to do otherwise is demonstrated.

- (e) equipment housing and other visually intrusive infrastructure provided it is screened or concealed from public areas.
- (f) freestanding aerials, towers and masts within the following limits:
 - (i) rural areas 60 metres
 - (ii) industrial areas 45 metres
 - (iii) commercial areas 40 metres
 - (iv) residential areas 20 metres

unless Council is satisfied that:

- (a) a pattern of infrastructure or vegetation above the specified height limit exists in a particular location; and
- (b) no adverse impact on heritage or ecological values or visual amenity would result;
- (c) development that does not intrude into identified important public views or measures are taken to minimise intrusion; and
- (d) the placement of telecommunication lines if the obstruction of private views is avoided or minimised.

Best practice methods are to be used to reduce the visual impact of infrastructure or to conceal infrastructure within the surrounding natural or built environment.

ISSUE 2:	PRINCIPLE:
Residential amenity	Residential amenity is to be protected.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
12.2.2.1 Residential amenity: Council must approve an application for use or development for telecommunications infrastructure where infrastructure servicing a network (facilities not requiring installation on an individual street basis) is not located in residential areas.	12.2.2.1: Council may approve an application for use or development not meeting the Acceptable Solution where the objectives of the Schedule are met.

ISSUE 3: Environmental Values	PRINCIPLE: Threatened species or species at risk of becoming a threatened species (as defined in the <i>Threatened Species Protection Act 1995</i>) and the habitats, ecological communities or places essential to their continuing existence.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
12.2.3.1 Environmental values: All applications for use or development must be assessed under the Alternative Solution	12.2.3.1: Council may approve the proposed infrastructure if it is demonstrated not to adversely impact on identified threatened species or species at risk or becoming threatened species.
ISSUE 4: Land stability	PRINCIPLE: Threatened species or <i>species at risk of becoming a threatened species</i> (as defined in the <i>Threatened Species Protection Act 1995</i>) and the habitats, ecological communities or places essential to their continuing existence.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
12.2.4.1 Land stability: All applications for use or development must be assessed under the Alternative Solution unless a report from a suitably qualified person demonstrates that the land is not unstable or will be made so by the proposed works.	12.2.4.1: Council may approve telecommunications infrastructure (including specific access routes) if <ul style="list-style-type: none"> (a) it will not cause erosion or cause land instability during installation and operation; and (b) development is not located in areas of known unstable land where the risk is identified as unacceptable for development or installation of infrastructure.
ISSUE 5: Agricultural land	PRINCIPLE: To protect the productive capacity and efficient farming operations of agricultural land.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
12.2.5.1 Agricultural land: Council must approve telecommunications infrastructure where it is demonstrated by a suitably qualified person that no loss of agricultural capacity of the land will occur.	12.2.5.1: Council may approve infrastructure installation and operation provided it does not degrade or unreasonably restrict the productive capacity of agricultural land and infrastructure is placed on property boundaries or fence lines (not including road alignment boundaries).

ISSUE 6: Access	PRINCIPLE: To ensure that telecommunications infrastructure does not impede movement of vehicular and other modes of transport.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
12.2.6.1 Access: Council must approve telecommunications infrastructure where vehicle, aircraft and adjoining land user safety has been assessed to have been adequately addressed by a suitably qualified person.	12.2.6.1: Council may approve aerial telecommunications infrastructure provided there is adequate clearance for vehicular traffic and it is considered not to pose a danger or encumbrance to other land users or aircraft.

To assist clarification of definitions used in this Schedule, reference is also to be made to the following Commonwealth Government documents:

- Getting the Message: Guidelines for the Management of Telecommunications Infrastructure, June 1997
- Telecommunications Code of Practice 1997
- Telecommunications (Low-Impact Facilities) Determination 1997

13.0 Isolated Settlements Schedule

13.1 Objectives of the Schedule

13.1.1 The purpose of this schedule is to provide for limited new use or development within isolated settlements in order to:

- (a) complete existing patterns of residential settlement well progressed prior to the Scheme coming into effect;
- (b) allow limited subdivision and infill development consistent with the existing densities of settlement;
- (c) recognise that low density residential settlement is and will remain the preference of part of the population for its broad lifestyle benefits; and
- (d) allow for other use or development that is compatible with these values.

13.2 Application of the Schedule

13.2.1 Use or development is to be undertaken in accordance with the standards listed in Table S13.1.

13.2.2 The intent, principles and standards specified in this Schedule over-ride the intent, principles and standards specified in the zone that relates to each isolated settlement.

Table S13.1 Principles and Standards for Isolated Settlements

ISSUE 1: Residential amenity		PRINCIPLE: Residential amenity is to be protected.
Acceptable Solution (Deemed to Comply)		Alternative Solution (Requires Justification)
13.1.1.1 Use or development in the Residential Use Class: All applications for use or development must meet the standards as follows:		13.1.1.1: All applications are to meet the following requirements:
(a) Use or Development: Must meet the standards specified in Issue 2 of Schedule 13 of the Scheme.		(a) Council may approve an application for use or development not meeting the Acceptable Solution specified in Issue 2 of Schedule 13 of the Scheme provided the Alternative Solution is met.
(b) Subdivision: Must meet the standards specified in Issue 3 of Schedule 13 of the Scheme.		(b) Council may approve a lot(s) created through subdivision but not meeting the Acceptable Solution specified in Issue 3 of Schedule 13 of the Scheme provided the Alternative Solution is met.

Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
<p>13.1.1.2 Use or development in the Business and Civic Zone: Council must approve an application for use or development provided:</p> <ul style="list-style-type: none"> (a) in the case of shops, take-aways, restaurants, licensed establishments and the like the gross floor area does not exceed 250 sq.m; and (b) meets all other relevant Acceptable Solutions within the Scheme. 	<p>13.1.1.2: Council may approve use or development not meeting the Acceptable Solution where it can be demonstrated that:</p> <ul style="list-style-type: none"> (a) the proposal will not prejudice the requirements of Schedule 13 of the Scheme; and (b) the proposal is not inconsistent with the transport strategies defined in Part 2 of the Scheme; and (c) in the case of use or development that is to provide retail services this particular service is needed by the community and is not more appropriately provided within the Business and Civic Zone; and (d) meets the height standards specified in Issue 2 of Schedule 13 of the Scheme; and (e) meets the setback standards specified in Issue 2 of Schedule 13 of the Scheme. (f) all relevant provisions of the Scheme are met.
<p>13.1.1.3 Use or development in the Industrial Use Class: Not permitted.</p>	<p>13.1.1.3: Not permitted.</p>
<p>13.1.1.4 Use or Development in the Primary Industries Use Class: Council must approve an application for use or development where:</p> <ul style="list-style-type: none"> (a) the proposed use or development is a necessary and integral element of a farm management plan; and (b) no impact on environmental values identified on the site will occur; and (c) the Acceptable Solutions for building height specified in Issue 2 of Schedule 13 of the Scheme are met; and (d) the Acceptable Solutions for setbacks specified in Issue 2 of Schedule 13 of the Scheme are met; and (e) all other relevant Acceptable Solutions within the Scheme are met. 	<p>13.1.1.4: Council may approve an application for use or development not meeting the Acceptable Solution provided:</p> <ul style="list-style-type: none"> (a) where environmental values are impacted a strategy to minimise these impacts is provided by a suitably qualified person; and (b) no environmental nuisance for existing sensitive uses would likely result; and (c) all other relevant provisions of the Scheme are met.

<p>13.1.1.5 Use or Development in the Environmental Protection Use Class: Council must approve an application for use or development where:</p> <ul style="list-style-type: none"> (a) no impact on environmental values identified on the site will occur; and (b) all other relevant Acceptable Solutions within the Scheme are met. 	<p>13.1.1.5: Council may approve an application for use or development not meeting the Acceptable Solution provided:</p> <ul style="list-style-type: none"> (a) where environmental values are impacted a strategy to minimise these impacts is provided by a suitably qualified person; and (b) no environmental nuisance for existing sensitive uses would likely result; and (c) all other relevant provisions of the Scheme are met.
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Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
<p>13.1.1.6 Use or Development in the Recreation Use Class: Council must approve an application for use or development where:</p> <ul style="list-style-type: none"> (a) buildings and or works are directly associated with the management or utilisation of existing recreational facilities such as golf courses, bowls clubs, sports fields and ovals and the like; and (b) the proposed use or development is an integral element of an overall plan for the entire site; and (c) the Acceptable Solutions for building height specified in Issue 2 of Schedule 13 of the Scheme are met; and (d) the Acceptable Solutions for setbacks specified in Issue 2 of Schedule 13 of the Scheme are met; and (e) all other relevant Acceptable Solutions within the Scheme are met. 	<p>13.1.1.6: Council may approve an application for use or development not meeting the Acceptable Solution provided:</p> <ul style="list-style-type: none"> (a) the proposal will not result in environmental nuisance; (b) existing and emerging community needs are shown to be being met by the proposed use or development; and (c) all other relevant provisions within the Scheme are met.

<p>13.1.1.7 Use or Development in the Utilities Use Class: Council must approve an application for use or development where:</p> <ul style="list-style-type: none"> (a) the proposed use or development is a necessary and integral element of an existing use or development; or (b) is documented as being an integral element of a servicing strategy, whether it be sewerage, water, stormwater or other infrastructure; and (c) the Acceptable Solutions for building height specified in Issue 2 of Schedule 13 of the Scheme are met; and (d) the Acceptable Solutions for setbacks specified in Issue 2 of Schedule 13 of the Scheme are met; and (e) all other relevant Acceptable Solutions within the Scheme are met. 	<p>13.1.1.5 Council may approve an application for use or development not meeting the Acceptable Solution provided it is demonstrated that all relevant provisions of the Scheme are met and no environmental nuisance will result.</p>
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<p>ISSUE 2: Use or development (other than subdivision)</p>	<p>PRINCIPLE: The design and siting of development in Isolated Settlements should minimise the likelihood of conflict with existing or likely future agricultural uses on adjoining or nearby land and no impact on environmental values.</p>
<p>Acceptable Solution (Deemed to Comply)</p> <p>13.2.1.1 Maximum Building Height: The maximum building height is 8m except in the following circumstances where the building height is 5m:</p> <ul style="list-style-type: none"> (a) where the lot has direct frontage to High Water Mark; or (b) where the lot abuts a Crown Coastal Reserve or land administered under the <i>National Parks and Reserves Management Act 2002</i>; or (c) where the lot fronts a road, which, had it not existed, would have resulted in either (a) or (b) being met. 	<p>Alternative Solution (Requires Justification)</p> <p>13.2.1.1: Council may approve an application not meeting the Acceptable Solution where:</p> <ul style="list-style-type: none"> (a) existing view corridors and solar access are protected as far as is practicable; and (b) privacy impacts can be minimised; and (c) the bulk and scale of development does not visually dominate the neighbourhood character.

<p>13.2.1.2 Setbacks: The following minimum standards apply:</p> <p>(a) Front Setbacks: 20 metres</p> <p>(b) Side and Rear Setbacks: 10 metres</p>	<p>13.2.1.2: Council may approve development that does not meet the Acceptable Solution where:</p> <p>(a) in respect to the front setback the prevailing building line in the roadway, function of the road and likely noise impacts are considered to support such a variation;</p> <p>(b) in respect to side and rear setbacks the impact on neighbours privacy and amenity is considered to be minimal.</p>
<p>13.2.1.3 Wastewater treatment: Each dwelling is to be serviced by an aerated wastewater treatment system or other system approved by Council.</p>	<p>13.2.1.3:None.</p>
<p>13.2.1.4 Water, stormwater and electricity: All Acceptable Solutions contained in Issue 5 of Schedule 1 of the Scheme must be met.</p>	<p>13.2.1.4:None.</p>
<p>13.2.1.5 Infrastructure costs: All infrastructure requirements caused by new use or development is to be paid for by the person(s) acting on the permit.</p>	<p>13.2.1.5: Council may approve an application for use or development not meeting the Acceptable Solution where it is suitably documented that there is agreement from any relevant public authority (or others as the case might be) that they will provide this infrastructure as and when Council require it.</p>
<p>13.2.1.6 Impacts on existing Agricultural Uses: No sensitive use is to be within the minimum attenuation distances listed in Schedule 6 of the Scheme.</p>	<p>13.2.1.6: Council may approve sensitive uses that cannot meet the Acceptable Solutions provided the requirements set out in Schedule 6 of the Scheme are met.</p>
<p>13.2.1.7 Impacts on Environmental Values: No environmental values will be adversely impacted.</p>	<p>13.2.1.7: Council may approve an application for use or development not meeting the Acceptable Solution where it is satisfied that:</p> <p>(a) suitable strategies are identified to minimise impacts on these environmental values; and</p> <p>(b) no practical alternative with respect to alternative building locations on the site exist.</p>
<p>Acceptable Solution (Deemed to Comply)</p>	<p>Alternative Solution (Requires Justification)</p>
<p>13.2.1.8 External appearance: No unpainted metal products are to be used in wall or roof cladding.</p>	<p>13.2.1.8:Council may approve an application for use or development not meeting the Acceptable Solution where it can be demonstrated to blend with the existing environment.</p>

ISSUE 3: Subdivision and Infrastructure Provision	PRINCIPLE: The design, siting and layout of new subdivisions in Isolated Settlements should: <ul style="list-style-type: none"> (a) minimise the demand for new infrastructure in the form of new or better roads, sewerage, water or stormwater reticulation, better footpaths or the like; and (b) not result in the loss of land with potential for economic agricultural uses; and (c) not result in likely ongoing conflicts with existing agricultural uses in the area; and (d) avoid adverse impacts on environmental values.
Acceptable Solution (Deemed to Comply)	Alternative Solution (Requires Justification)
13.3.1.1 Subdivision No lot created through subdivision is to be of an area less than 1500 sq.m or have a frontage to a road of a width less than 3.6m.	13.3.1.1: None.
13.3.1.2 Wastewater treatment: Each lot is to be serviced by an aerated wastewater treatment system or other system approved by Council.	13.3.1.2: None.
13.3.1.3 Water, stormwater and electricity: All Acceptable Solutions contained in Issue 5 of Schedule 1 of the Scheme must be met.	13.3.1.3: None.
13.3.1.4 Infrastructure costs: All infrastructure requirements caused by new use or development is to be paid for by the person(s) acting on the permit.	13.3.1.4: Council may approve an application for use or development not meeting the Acceptable Solution where it is suitably documented that there is agreement from any relevant public authority (or others as the case might be) that they will provide this infrastructure as and when Council require it.
13.3.1.5 Loss of Agricultural Potential: Where the land to be subdivided has an area of 3 ha or greater a report is to be prepared by a suitably qualified person confirming that the application will not cause the permanent loss of land with potential for any economic agricultural use.	13.3.1.5: None.
13.3.1.6 Impacts on existing Agricultural Uses: No sensitive use is to be within the minimum attenuation distances listed in Schedule 6 of the Scheme.	13.3.1.6: Council may approve sensitive uses that cannot meet the Acceptable Solutions provided the requirements set out in Schedule 6 of the Scheme are met.
13.3.1.7 Impacts on Environmental Values: No environmental values will be adversely impacted.	13.3.1.7: Council may approve an application for use or development not meeting the Acceptable Solution where it is satisfied that: <ul style="list-style-type: none"> (a) suitable strategies are identified to minimise impacts on these environmental values; and (b) no practical alternative with respect to alternative building locations on the site exist.

14.0 Area Desired Future Character Statement Schedule*

(*Am.2006-5 g.12/9/07)

14.1 Objectives of the Schedule

- 14.1.1 It is the purpose of this Schedule to set out the character statements that will guide the future use and development that will occur in the larger and smaller settlements as well as the coastal and rural areas of the Kingborough municipality.

14.2 Application of the Schedule

- 14.2.1 The use or development of land and/or buildings is to further the character statements set out under this Schedule and as contained in Table S14.1.
- 14.2.2 The Desired Future Character Statements within this Schedule are to be used as a means for managing future change within the described settlements or areas.
- 14.2.3 Discretionary use or development (Sec.57 permit applications) must demonstrate consistency with relevant Desired Future Character Statements.
- 14.2.4 Where use or development is in close proximity to the boundary between the described settlements or areas, consideration should be given to creating a gradual transition of use and development from one area to the next.

Table S14.1 Desired Future Character Statements

DESIRED FUTURE CHARACTER STATEMENTS - TAROONA:

1. Taroona is a seaside suburb that is characterised by predominantly single detached dwellings on large lots with well established landscaped gardens. This low-density living is a desired character for the area and any significant change to higher densities is to be avoided.
2. The natural landscape and setting is an important issue when considering new development. Urban growth limits should be restricted to the lower more developed slopes of Taroona, wildlife corridors should be protected and native vegetation retained on residential properties.
3. Multi-unit housing is to be discouraged other than in the general vicinity of the Taroona shopping centre.
4. The redevelopment of some larger sites such as the former Taroona Hotel and the Taroona Shopping Centre should be encouraged in order to better provide services for local needs. This may include small local retail, medical or community type facilities.
5. Recreational opportunities and local residential amenity can be enhanced by providing for an improved network of walking trails and pathways throughout the local streets, as well as on adjoining hills, bushland and coastal foreshores.

DESIRED FUTURE CHARACTER STATEMENTS - KINGSTON

1. Kingston constitutes the commercial centre of the municipality and should continue to develop in a coordinated and cohesive manner that responds to the needs of the community. Significant commercial and community related development should be located within the Kingston central area.
2. The ongoing improvement of community services and facilities within central Kingston is to be encouraged. This includes outlets for government agency services (eg Police, Service Tasmania, health, education, library etc), non-government service providers and suitable space for local community meetings/activities, both indoor and outdoor. The (former) Kingston high school site should be utilised for community-based purposes.
3. Public recreational areas are to be provided throughout Kingston in a manner that provides the local community with recreational experiences in a variety of settings. A network of walkways and cycleways should emanate from the central area, local playgrounds provided for young people and pleasant landscaped spaces provided within built up urban areas.
4. The Kingston area is characterised by native Eucalypt vegetation occurring within urban areas and on the neighbouring rolling hills. This creates pleasant views from many different aspects and provides a variety of environmental benefits. These vegetated corridors and backdrops should be protected.
5. The management of traffic within Kingston is to result in improved flow conditions and less congestion. Car parking needs are to be met and improved public transport facilities and services are to be encouraged, including opportunities for 'park and ride'.
6. Suburban areas within Kingston should include a mix of housing types. Multi-unit housing style development is to be directed towards areas that are relatively close to the central area.
7. The appearance and character of the Kingston central area should be enhanced through streetscape improvements, public spaces and sensitive urban design. The central area requires a coordinated planning approach that determines appropriate solutions prior to new development.

DESIRED FUTURE CHARACTER STATEMENTS – KINGSTON BEACH

1. Kingston Beach retains a great deal of built heritage from the late 19th and early 20th century when it was as a recreational destination for visitors from Hobart. These remnant heritage values should be protected.
2. The area's original 'shack style' and 'holiday home' architecture is generally intact and has a style that is largely Colonial Federation with single and two-storey weatherboard clad homes and substantial street setbacks. New residential development should complement this style.
3. Multi-unit housing within residential areas should not clash with Kingston Beach's heritage values. There are examples of modern two storey units within the heritage precinct, particularly north of the commercial strip. This type of development is to be avoided and/or replaced by more compatible development in future.
4. The result of past settlement is a village-type form and character that is mostly single and two storey. Future residential development is to respect this scale and should not exceed the height of surrounding development.
5. A strong feature of Kingston Beach is the lack of commercial development within residential areas. Commercial development within such areas is to complement the existing quiet residential neighbourhoods and be limited to such uses as small scale tourist accommodation and home occupations.
6. Within the commercial precinct of Kingston Beach, the scale of development is also single and two storey, although one example of a larger 3 storey building does exist. Redevelopment and reinvestment is desirable within this precinct, but future development must be of a compatible scale, form and bulk when placed in the context of surrounding development.
7. Opportunities should be pursued to provide for enhanced pedestrian access throughout Kingston Beach and for the ongoing improvement of public recreational facilities.

DESIRED FUTURE CHARACTER STATEMENTS – BLACKMANS BAY

1. Blackmans Bay is a seaside suburb physically defined by its exposed and open beachfront, Boronia Hill and the headland cliffs to the north and south. The natural landscape and setting is an important issue when considering new development proposals, especially in the more established northern sections of Blackmans Bay.
2. Historically Blackmans Bay has evolved from a seaside shack community to what is now essentially a dormitory suburb where residential amenity is of high priority. Residential densities are generally low due to the suburban pattern of settlement that has occurred over the last 30 years. This low-density living is a desired character for the area and any significant change to higher densities is to be avoided.
3. Some housing, particularly in the older parts of Blackmans Bay near the beach, reflects the original settlement of the area. Although these 'shack' style dwellings have often been modified to meet different household demands, they still have a local streetscape and heritage significance that should be retained.
4. The commercial precinct centred on Opal Drive currently has an inward and unsympathetic presentation that can be improved. An appropriate refurbishment and redevelopment of the site is encouraged in order to create more visual interest and a more active use after hours. This might involve the inclusion of other mixed uses, housing, offices and additional landscaping.
5. A secondary commercial precinct on the corner of Ocean Esplanade and Pearsall Avenue provides limited additional retail space. Speciality shops, restaurants, cafes and related facilities that contribute to local activities associated with Blackmans Bay Beach are to be encouraged within this area.
6. Visual amenity is important for both existing residents and for visitors to the beach area. Most houses have water views of the Derwent Estuary and existing housing development is essentially low-key with buildings of limited height and size. Future development should have regard to this existing character and residential amenity.
7. Blackmans Bay should continue to provide flexibility in housing forms with multi-unit housing generally encouraged to locate in the area surrounding the Opal Drive commercial precinct.
8. Opportunities should be pursued to provide for enhanced public access to foreshores, along the headlands and within existing and proposed suburban areas.

DESIRED FUTURE CHARACTER STATEMENTS – HOWDEN:

1. Howden is a relatively small rural settlement that consists of scattered houses with a central core of properties that are zoned Residential. The existing residential amenity and natural values of the area should be protected.
2. Residential densities are generally low. This low-density living is a desired character for the area and any significant change to higher densities is to be avoided.

DESIRED FUTURE CHARACTER STATEMENTS – MARGATE:

1. Margate is the first of the Channel towns within the municipality and its separate identity to the more suburban areas to the north needs to be protected. The historical and existing rural connections and settlement patterns surrounding the town should be protected so that Margate retains its essential rural character.
2. Margate is also valued because it provides more affordable housing, homes for younger families, and reasonable access to those social services, schools and public infrastructure that might normally be found in more established urban areas. These attributes should be encouraged.
3. Convenient public access to coastal and riparian reserves should be enhanced and other recreational links including an integrated network of tracks and trails and associated public facilities should be provided for both within and surrounding Margate. Significant native vegetation communities should also be protected and enhanced.
4. Multi-unit housing is to be generally discouraged unless it is located close to the central area of Margate, west of the former cool store on Beach Road and close to services and facilities.
5. Aged care facilities that allow older community members to remain in the local community are desirable. The most suitable sites are located close to the central area of Margate and particularly west of the Hotel site.
6. Main street improvements are required and development should be encouraged that improves the streetscape and provides for improved public amenity, convenience, safety and recreational experiences. Better facilities for younger children in or near the main street are also desirable.
7. Further commercial development within the central area of Margate is desirable and this should also utilise opportunities to renovate or replace existing premises to improve the public amenity of the main street area and provide for off-street car parking.

DESIRED FUTURE CHARACTER STATEMENTS – SNUG:

1. Snug is a moderately sized township that has not changed a great deal during the last 20-30 years. Significant urban growth within Snug is not desirable and only incremental change is to be encouraged.
2. Snug's location and setting provides much of its distinct character and identity. In this regard, important aspects that require protection are the forested hills to the west around Snug Falls and the coastal foreshores with the associated need to provide for public access and recreation.
3. Houses along Beach Road have large setbacks, are generally single storey and the width and space of Beach Road is a significant feature. Future development should be consistent with this streetscape, and development alongside other local streets should also complement local character.
4. Snug has a substantial recreational area, well-used beach and informal open space environment near the mouth of the Snug River. This area's amenity is to be protected from inappropriate residential or commercial development and natural values enhanced where possible.
5. Aged care facilities have been built in the past off Beach Road and this has proved to be a satisfactory form of development that could progressively expand in the future.
6. The rural character of larger lots is to be retained in future subdivision. In-fill unit development will be restricted. Low density residential development may be possible off Beach Road and to the immediate south-west of the town.
7. Substantial commercial development along Channel Highway within Snug is to be restricted consistent with the town providing only limited services for local residents and the passing trade. Larger commercial facilities are to be provided in Margate and Kingston.
8. The Lower Snug area is more similar in character to Coningham, in that the settlement pattern is more informal and there is restricted sewer and water capacity. Future development should be at a lower density to protect the sense of space and native landscapes still apparent in this general area.

DESIRED FUTURE CHARACTER STATEMENTS – CONINGHAM:

1. Coningham is an isolated settlement that has very limited capacity for expansion due to the narrow entrance road and the absence of reticulated water and sewerage. Any further significant subdivision of land is to be discouraged.
2. The existing residential amenity and natural values of the area should be protected. Low-density living is a desired character for the area and any significant change to higher densities is to be avoided.
3. Coningham's coastal location and setting provides its distinct character and identity. New development should ensure that existing public recreational amenity and coastal values are protected.

DESIRED FUTURE CHARACTER STATEMENTS – KETTERING:

1. The essential attractions of Kettering need to be protected – these being the water views of the D'Entrecasteaux Channel, the access to the water, the convenient access provided by the Channel Highway, the natural environment and the vegetated visual backdrop.
2. Future development should protect Kettering's past and present use as a fishing and water-based recreational village. Access to the waterways of the D'Entrecasteaux Channel should be enhanced.
3. Sensitive tourism development opportunities should be encouraged within Kettering, due to its inherent natural attractions and as the gateway to Bruny Island.
4. The development of a commercial core area within Kettering is to be encouraged. This is to occur in the vicinity of Selby Street or opposite Kettering Oval in a manner that will rationalise the existing fragmented commercial facilities.
5. Future development within Kettering should be consistent with a style that suits its coastal rural location.
6. Future subdivision and development within Kettering should be typical of other non-serviced hamlets that are limited by the absence of sewer and water reticulation. Suburban type subdivisions and development are to be avoided.
7. A more coherent and longer term strategy for the provision of open space linkages, walking trails and passive open space within Kettering and the surrounding areas is to be encouraged

DESIRED FUTURE CHARACTER STATEMENTS – WOODBRIDGE:

1. The central area of the Woodbridge village has a strong relationship with the D'Entrecasteaux Channel, particular landscape features (re. gardens and vegetation) and contains a large number of buildings with heritage values that are critically important to the character of the town. Future development within the central village area must be sensitive to these heritage and landscape values.
2. Beyond this central precinct, the Woodbridge surrounds generally have newer buildings, a greater variety of housing styles, designs and variety of materials, with larger setbacks from roads. A greater flexibility of uses and designs for new development exist in this area than the central area. However landscape issues must be considered with new development to be located as discretely as possible.
3. Adaptive reuse of existing heritage listed buildings, as well as other buildings that contribute to the streetscape is encouraged, together with the removal of non-sympathetic additions to existing buildings. New development should be primarily guided by the character of Woodbridge and the current relationships between buildings and surrounding spaces.
4. New development that furthers the tourism potential of Woodbridge is encouraged. New signs should be sensitive to the heritage character of the village and be unobtrusive in size and scale.
5. Provision for aged care housing within Woodbridge is encouraged as a means of allowing local people to age within their local community. The most suitable site would be ideally located in the northern part of the central area that is most convenient to existing village facilities.

DESIRED FUTURE CHARACTER STATEMENTS – MIDDLETON AREA:

1. Middleton and the Lower Channel areas are characterised by steeper landforms and more exposed coastlines. The protection of the hillsides, coastal foreshores and skylines from inappropriate use and development and from erosion is a high priority.
2. Local watercourses need to be protected to ensure that water quality and riparian vegetation are not adversely impacted upon.
3. The Middleton village area should remain a quiet peaceful environment with future development proposals complementing the existing rural village character.
4. Local recreational needs are to be enhanced. There are opportunities to upgrade existing facilities, such as at Gordon, and to better provide for the various walking, camping and general recreational needs of both local residents and visitors.
5. The Lower Channel area of the municipality has a rich heritage and its historical associations should be interpreted and protected wherever possible.
6. Low-key development should be encouraged where it can provide for an enhanced tourism experience and where there are opportunities to better provide for local health and community services.

DESIRED FUTURE CHARACTER STATEMENTS – SANDFLY:

- 1 Sandfly is a small village with a surrounding rural area that is characterized by dispersed residences and scattered farms. Future development should complement this relatively quiet rural character and not adversely impact upon local residential amenity.
2. Where possible local community and recreational services are to be encouraged and enhanced within Sandfly's central village precinct.
3. Local roads and recreational trails should be upgraded and improved whenever opportunities present themselves.

DESIRED FUTURE CHARACTER STATEMENTS – LONGLEY:

1. Longley is located within a quiet natural setting and future development should be low-key and complement the existing natural values and the quiet peaceful neighbourhood.
2. Use and development should protect and where possible provide for the interpretation of local environmental values, heritage features and historical associations.
3. Local community facilities and public infrastructure (particularly Longley Park) are to be upgraded in order to improve the capacity for local community and visitor use and enjoyment.

DESIRED FUTURE CHARACTER STATEMENTS – BRUNY ISLAND:

1. The unique natural environment is Bruny Island's most important attribute and must be protected from inappropriate land use and development.
2. Low-key sensitive development is appropriate within existing developed areas and should essentially be limited to the in-fill development of vacant lots. The existing natural character of rural areas should be protected from rural residential type subdivision that is not sympathetic to the surrounding landscape.
3. The relative isolation of island life is an attraction in itself and brings with it a more relaxed and quieter lifestyle, and a more self-sufficient and supportive community. Development should be designed to discretely support this Bruny Island lifestyle.
4. Use or development that improves service delivery, especially health, transport, retail/restaurant and emergency services, is to be encouraged, particularly within or adjacent to existing developed areas.
5. Large scale developments that do not reflect the existing lifestyle and built characteristics of the Island are generally regarded as being out of character.
6. Tourism provides opportunities for investment and employment and the marketing of Bruny Island. Relatively low-key tourism development is appropriate where it balances the needs of residents and visitors and enhances the Bruny experience.
7. Opportunities for small businesses, agricultural enterprises and 'cottage industries' are to be encouraged where they support and enhance the lifestyles of local residents and the visitor experience.
8. The Aboriginal, cultural and historic heritage of Bruny Island is unique. These values should be recognised and built upon with respect. Such heritage is to be protected and its historical associations should be presented in ways that enhance experiences for visitors and residents.
9. Road infrastructure, recreational facilities and other public services need to be provided and maintained to a higher standard in order to improve local amenity and enjoyment. Use or development should only occur where it will not compromise the standard of such public infrastructure assets.

15.0 Multi-Unit Housing Schedule*

(*Am.2006-11 g.12/9/07)

15.1 Objectives of the Schedule

15.1.1 The purpose of this Schedule to identify by means of plans where multi-unit housing is subject to the Acceptable Solution under Clause 5.4.2.1.

15.2 Application of the Schedule

15.2.1 There are no plans defining areas where multi-unit housing is subject to the Acceptable Solutions under Clause 5.4.2.1.